

ASSISTANCE TO THE DEVELOPMENT OF A WITNESS AND VICTIM SUPPORT SYSTEM IN CROATIA

FINAL PROJECT EVALUATION REPORT

Sharon Gail Lowery
External Evaluator
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Table of Contents

1. Introduction	3
2. Project Background and Context	4
2.1 Existing Legal Frameworks and Institutional Structures	4
2.2 UNDP Support to Croatian National Priorities	5
2.3 Project Objective	5
2.4 Project Outcomes	6
2.5 Project Stakeholders and Beneficiaries	6
2.6 Project implementation Strategy	6
2.7 Project Risks	7
2.8 Project Financing	7
3. Methodology	8
3.1 Scope and Limitations of Evaluation	8
3.2 Methodological Approach	8
4. Evaluation Findings	10
4.1 Project Effectiveness	10
4.1.1 Outcome 1: Strategic Management Capacity for WVS System Developed	10
4.1.2 Outcome 2: Witness/Victim Support System in Courts Established	18
4.1.3 Outcome 3: Public Awareness of the Rights of Witnesses and Victims Improved	26
4.2 Project Efficiency	29
4.2.1 Project Implementation	29
4.2.2 Internal Coordination	30
4.2.3 External Coherence	30
4.3 Project Relevance	31
4.4 Project Sustainability	32
5. Evaluation Conclusions	33
5.1 Development of Strategic Management Capacities for WVS System	33
5.2 Establishment of a Witness/Victim Support System in the Courts	34
5.3 Improvement of Public Awareness of the Rights of Witnesses and Victims	35
5.4 Project Efficiency	35
5.5 Project Relevance	35
5.6 Project Sustainability	36
6. Recommendations	37
List of Tables and Figures	
Table 1: Project Donors and Allocated Resources	07
Figure 1: Witness/Victim Support System Model	13
List of Annexes	
Annex I: Evaluation Terms of Reference	38
Annex II: List of People Interviewed	46
Annex III: Documents Reviewed	47
Annex IV: End Notes	49

1. Introduction

In 2007, the United Nations Development Programme (UNDP) conducted a series of surveys and an analysis of the witness and victim support system in the Republic of Croatia.¹ The survey showed that only 10,9% of witnesses considered the criminal justice system in Croatia as being able to fulfill the needs of victims, while only 11,7% considered it capable of fulfilling the needs of witnesses. Despite the fact that organized support was practically nonexistent, the analysis of responses from both judges and witnesses highlighted its necessity and stressed the importance of improving the organization of witness and victim support in the Croatian judicial system.

Against this backdrop, the project entitled “Assistance to the Development of a Witness and Victim Support System in Croatia” (hereinafter referred to as the “Project”) was created by UNDP in cooperation with the Republic of Croatia’s Ministry of Justice and Supreme Court. Implemented over a two-year period, from October 2007 to October 2009, it was designed to initiate a process for facilitating the provision of witness and victim support in all criminal court proceedings.

The main purpose of this evaluation is to provide an independent assessment of the extent to which the initiative:

- ❑ Effected change in its intended outcomes by looking at output achievement and project implementation;
- ❑ Developed sufficient capacity and transferred crucial knowledge to enable stakeholder institutions to assume full responsibility for the management of a witness and victim support system in Croatia; and
- ❑ Succeeded in filling a critical gap within the Croatian criminal justice system.

The findings will shed light on whether there is a need to broaden future project efforts to include additional stakeholders such as police authorities, public prosecutors, social services personnel, etc.

The report is organized into six (6) sections, namely: Project Background and Context, Methodology, Evaluation Findings, Conclusions, and Recommendations.

2. Project Background and Context

After acquiring the status of European Union (EU) candidate country in June 2004, Croatia started its negotiation process in early 2006. The Croatian judiciary's capacity to provide access to justice for all citizens, ensure impartial and efficient court procedures, and firmly establish all elements of the rule of law was identified as one of the chief issues of importance for the completion of the accession process.

For a variety of reasons the Croatian judiciary was one of the areas most affected by the transition from recovery to development, following the 1991-1995 conflict. Weak supporting institutions, insufficient state care and interest, as well as other unfavorable circumstances brought the judiciary to a state of inefficiency.

Development of an efficient criminal justice system is one of the basic conditions for the fight against impunity (i.e. war crimes) and the suppression of organized crime, corruption and other harmful social behaviors. An efficient criminal justice process is one of the chief indicators of the equitable application of the rule of law. Although led by legal professionals (judges, prosecutors and defense attorneys), the criminal process can only be deemed efficient and effective if it fosters conditions for the timely and fair participation of citizens, namely witnesses and victims.

Despite participation in criminal procedures being mandatory for witnesses summoned by courts, the Croatian legal system provided insufficient support to witnesses, victims and other participants in the criminal justice process. Partial standards and mechanisms existed for the protection and support of the most vulnerable participants in criminal proceedings (i.e. children, elderly, people with physical and mental disabilities, family members of victims) as well as participants in proceedings for specific crimes (e.g. trafficking, domestic violence, organized crime, rape, etc.) This was limited mostly to increased protection of specific rights within on-going proceedings and did not include any specific provision for tangible support (*UNDP Project Document: 6*).

2.1. Existing Legal Frameworks and Institutional Structures

Increasingly aware of the need for improved witness support, the Government of Croatia had taken some steps to address this dearth in recent years. Amendments to the Criminal Procedure Act (OG 152/08), which recognized and strengthened the rights of victims participating in criminal proceedings, along with the passage of the Witness Protection Act (OG 163/03), provided the initial building blocks for the construction of a legal framework for the development of a comprehensive witness and victim support system.

The Witness Protection Act mandated the establishment of the Witness Protection Unit within the Police Directorate of the Ministry of the Interior. It was tasked with the implementation of protective measures for "...threaten persons and persons close to them [who were] exposed to a serious threat to their life, health, physical integrity, freedom, or property on a larger scale due to [giving] testimonies in criminal proceedings for criminal offenses² as envisaged under the Act" (Ajdukovic, Mrcela, and Turkovic: 36). The protective measures included physical and technical protection, relocation, concealing of identity and ownership, and changes of identity (p.30). The Unit, however, did not provide psychological or legal counseling, or any other form of help to witnesses and victims (p.46).

In 2005, the Department for Support to the Witnesses and Other Participants in War Crimes Trials (hereinafter referred to as the “Department for Support”) was established within the Ministry of Justice. It was tasked with the responsibility of ensuring the provision of legal/physical protection and psychological assistance to witnesses and other participants in war crime trials, both in and outside of Croatia. Other duties included locating witnesses and organizing their travel to designated courts.

Despite the existence of two offices, in two separate ministries, which dealt with some aspect of witness support and protection, neither was designed to meet the needs of the majority of citizens called upon to testify in criminal proceedings. Focused on a select category of witnesses, the Witness Protection Unit’s services were confined to imminent threat and physical harm. Exclusively servicing war crimes trials, the Department for Support lacked the human resources, with only three (3) staff members, to maintain a functional presence at the level of the courtroom on a daily basis.

In recognition of the work yet to be done, the development and implementation of a comprehensive system of support for witnesses, victims, and other participants in criminal proceedings was ranked as Measure #150 on the Ministry of Justice’s *Action Plan of the Judicial Reform Strategy: 2008 Revision*.

2.2. UNDP Support to Croatian National Priorities

In response to Croatia’s *National Strategic Development Framework: 2006-2013*, UNDP Croatia fashioned the program components of its *County Program Action Plan: The Government of Croatia and UNDP, 2007-2011* to address six strategic national development goals.

Program Component 5: Justice and Human Security focused on measures that promoted and contributed to justice reform, human and state security. UNDP justice reform initiatives consisted of activities supporting the improvement of access to justice for those previously denied it, including witnesses and victims of criminal offenses (*Country Program Action Plan: 17*).

Forming the basis of the Project, the Program Component’s outputs were as follows:

- ❑ Improvement of witness/victim rights regulations;
- ❑ Development of policy proposal towards the treatment of witnesses and victims in criminal procedures;
- ❑ Improvement of strategic management capacities of the Ministry of Justice;
- ❑ Establishment of regional cooperation on witness/victim support issues; and
- ❑ Establishment of witness/victim support offices in pilot courts (*p. 17*).

2.3. Project Objective

The Croatian criminal justice system did not prescribe institutionalized service for the provision of support to witnesses and victims in courts. Building on earlier initiatives, existing structures, and recent research findings, the Project’s overall objective was to strengthen the criminal justice system in Croatia through the introduction of a modern policy aimed at supporting witnesses and victims participating in criminal proceedings. Once fully developed and implemented, this policy was expected to facilitate the enhanced treatment of witnesses and victims during criminal trials, thereby contributing to a more efficient and effective criminal justice system.

2.4. Project Outcomes

The Project Objective was to be achieved through effecting change in the following outcomes:

- ❑ Development of strategic management capacity for witness/victim support system;
- ❑ Establishment of witness/victim support system in courts; and
- ❑ Improvement of public awareness of the rights of witnesses and victims.

Both the Project's objective and the outcomes were set out and agreed upon in a Standard Letter of Agreement between the Minister of Justice and the UNDP Resident Representative that was signed in Zagreb in 6 February 2008. Pilot courts were selected in the counties of Zagreb, Osijek, Vukovar, and Zadar.

2.5. Project Stakeholders and Beneficiaries

While the principal project counterpart was the Ministry of Justice, key beneficiaries of the project were witnesses and victims who participated in criminal procedures. The implementation of the Project encompassed several key stakeholders (i.e. Ministry of Justice, Supreme Court of the Republic of Croatia, State Prosecutor's Office, selected pilot courts, and NGOs) cooperating together to achieve the project objective.

2.6. Project Implementation Strategy

In addition to the United Nation's general expertise in establishing and administering *ad hoc* criminal courts, UNDP possessed wide-ranging experience with project implementation in the areas of policy development and institutional capacity building in the Croatian justice sector. Drawing on this repository, UNDP Croatia developed a clear strategy for assisting the Ministry of Justice in the development and implementation of a clear policy towards the provision of systematic support to witnesses, victims and other participants in the criminal proceedings by taking the steps mentioned below.

It conducted comprehensive research in 2007 on the witness and victim support system in Croatia. Through carefully designed questionnaires, witnesses and victims from nine county courts and criminal law judges from all twenty-one (21) county courts expressed their perceptions of the present system. UNDP's facilitation of this groundbreaking research justified the assumption of its role as lead agency in this initiative.

UNDP established quality contact with an already-existing project entitled "Prevention of Juvenile Crime and Support to the Victims and Witnesses."³ Cooperating closely with the UN International Criminal Tribunal for the Former Yugoslavia (ICTY), through its Liaison Office in Zagreb, UNDP gained access to expert knowledge about the domestic criminal legal system, as well as long-term experience in the treatment of witnesses and victims of the most sensitive crimes.

The Project benefited from the outputs generated and experiences accumulated prior to its beginning. UNDP, in partnership with ICTY and the Ministry of Justice, created a successful strategy for addressing the additional challenges identified in the research on witness/victim support.

2.7. Project Risks

As with any project that is dependent on full resource mobilization and long-term counterpart commitment, the Project had some possible implementation risks, namely 1) full project funding; 2) continuity of the Ministry of Justice senior management; and 3) the willingness of court administrations to implement the new policy.

2.8. Project Financing

The total indicative budget for the Project, covering the two-year cycle, was USD 1.069.278,20. It was co-financed by UNDP's Bureau for Crisis Prevention and Recovery, UNDP County Office Croatia, UNDP Millennium Development Goal Fund, Government of the Kingdom of the Netherlands, Organization for Security and Cooperation in Europe (OSCE), and the Government of the United States of America for the amounts indicated in the table below.

Table 1: Project Donors and Allocated Resources

Donors	Allocated Resources (USD)
BCPR	525.000,00
UNDP CO Croatia	174.954,20
MDGF	121.000,00
NETHERLANDS	130.000,00
OSCE (01545)	70.324,00
USA (Trust Fund)	48.000
TOTAL	1.069.278,20

In addition to the above-mentioned financial contributors, the UK Government, Swedish Government, and ICTY provided support and expertise to the Project.

3. Methodology

The objective of the final evaluation was to undertake an in-depth analysis of the Project in order to generate:

- ❑ Specific and comprehensive feedback on the achievement of outputs and outcomes that would provide the basis for learning and accountability for managers and stakeholders; and
- ❑ Concrete recommendations that would be used to guide the improvement and replication of future initiatives.

This exercise fulfilled the management and oversight requirements of UNDP program activities, certified in accordance with PRINCE 2 Methodologies.

3.1. Scope and Limitations of Evaluation

This report presents the findings of the final evaluation exercise conducted by Ms. Sharon Lowery, an external evaluation consultant.⁴ The fieldwork portion was conducted in Croatia from 26–30 October 2009, with stakeholder consultations taking place in the cities of Zagreb, Osijek, and Vukovar.⁵ Evidence gathered was used to confirm implementation of project activities, assess the achievement of outputs, and demonstrate visible change in stated outcomes. The final version of the evaluation report was submitted to the UNDP Project Team for review and feedback on 11 January 2010.

Limitations of the evaluation included the premature timing of the evaluation, which was scheduled to take place before the completion of activities falling under Outcome 3. The length of the field visit was reduced from the originally allotted five (5) days to two and a half (2.5) days. One full day was devoted to attending the UNDP-sponsored regional conference “Support to Witnesses and Victims” on 27 October 2009. Two half days were taken up with briefing/debriefing sessions and round trip travel between Zagreb, Osijek, and Vukovar, respectively.

While the President and Witness/Victim Support (WVS) staff members from County Court Zadar were interviewed, a site visit to their location did not take place due to scheduling conflicts and time constraints. The short timeframe prevented further consultation with a wider array of individual and organizational stakeholders. As such, the President of the Supreme Court, Minister of Justice, and staff members from the Department for Support were not interviewed. Most importantly, witnesses were not interviewed out of respect for confidentiality and their right to privacy. The findings, therefore, were influenced by the absence of their insights and perspectives on the Project.

3.2. Methodological Approach

The evaluation assesses the performance of the Project against UNDP evaluation criteria of effectiveness, efficiency, relevance, and sustainability, in accordance with the Evaluation Terms of Reference (see Annex I).

Methods used to collect primary data included: 1) a review of relevant literature, i.e. project documentation; research surveys and results; local, national, and international policies; monitoring data and other relevant documents; 2) face-to-face, semi-directed interviews with UNDP project staff, UNDP senior managers, Ministry of Justice representatives, pilot court

presidents, NGO representatives, donors, etc.; and focus groups with WVS staff members and a volunteer from pilot court offices.

The sources of secondary data consulted were UNDP project documents; UNDP project progress reports; UN documents; international organizations' reports; Government of Croatia documents (laws, regulations, action plans, etc.); program documents of the newly-established WVS Program; and program agendas from workshops, conferences, and training sessions.

The data was verified using the triangulation method and analyzed to detect patterns in the evidence, which in turn informed the interpretation of results.

4. Evaluation Findings

In keeping with the project evaluation Terms of Reference, results of the Project initiative were assessed against the criteria of effectiveness, efficiency, relevance, and sustainability.

4.1. Project Effectiveness

This section examines the extent to which the Project's overall objective has been achieved, through the completion of specified activities, achievement of outputs and effecting of change in the following three (3) project outcomes, as put forward in the project document:

4.1.1. Outcome 1: Strategic management capacity for witness/victim support system developed.

Institutionalization of a witness/victim support system required that a foundation be laid which gave rationale, form, substance, and capacity to the initiative. In order to attain this outcome, the following target outputs were identified:

- ❑ Development of a policy proposal on the treatment of witnesses and victims in criminal proceedings;
- ❑ Improvement of regulations on witness and victim rights;
- ❑ Improvement of strategic management capacities of the Ministry of Justice; and
- ❑ Establishment of regional cooperation on witness and victim support issues.

The Project planned to achieve these outputs through the implementation activities, which included two (2) research studies, two (2) round table discussions on draft amendments to relevant legislation and regulations (by-laws), two (2) regional meetings, one (1) study visit, and the development/facilitation of several training sessions for officials from the Ministry of Justice, the Supreme Court, county and municipal courts (judges and court administrators), the State Prosecutor's Office, and the Police Service during the two-year project cycle.

Output 1.1: Development of Policy Proposal

No coherent policy existed for the facilitation of participants in criminal proceedings prior to the commencement of this project.

Activities Implemented

With a view to developing a solid framework for the facilitation of witness/victim participation in criminal proceedings, the Project engaged in a process to draft policy guidelines that included research, development, and presentation activities.

Background Research on Policy

In 2007, UNDP commissioned an independent research initiative⁶ that took an in-depth look at the status of victims' rights and existing support mechanisms available to victims and witnesses within the Croatian criminal justice system. It also reviewed comparative examples of best practices from other countries and UN International Criminal Tribunals.

With the support of representatives from the Ministry of Justice and the Ministry of the Interior, two additional studies were completed in 2009, namely:

- ❑ Domestic Violence Victims in Croatia (January 2009); and
- ❑ System of Support to Witnesses and Victims of Criminal Offenses in Croatia (February 2009)

The purpose of this research was to generate additional information on 1) the specific support requirements of certain categories of witnesses and victims, disaggregated by gender, type of crime, and degree of vulnerability; and 2) the perceptions held by actors in the criminal justice system and the general public on the extent to which witness/victim support and protection needs were currently being met.

The studies revealed that there was an acute need for a more systematic approach to the provision of support to witnesses and victims of criminal offenses, along with increased networking among various institutions in the criminal justice system. These results, along with the practical experience gained in the early stages of implementing the Project, formed the basis of the policy.

Development of Policy Concepts and Model

Policy development was a continuous process during the preparatory and implementation phases of the Project in 2008 and 2009. The policy was gradually designed through the collaborative work of the Ministry of Justice and UNDP, in consultation with Judge Marin Mrcela; Professor Ksenija Turkovic; and Mr. Thomas Osorio, Head of the ICTY Liaison Office –Zagreb.

Mr. Mario Kresic, UNDP Project Manager, and Ms. Melanjia Grgic, Ministry of Justice Project Coordinator, were responsible for drafting and communicating proposals containing elements of the policy to relevant government institutions for consideration. On several occasions, the Minister of Justice and the UNDP Resident Representative met to discuss specific components of the policy.⁷ Once approved, elements of the policy were then presented to the stakeholders' respective internal structures for implementation.

Presentation and Discussion of Policy Guidelines

Elements of the proposed policy guidelines were presented and discussed, on an on-going basis, among project stakeholders⁸ in a series of meetings that yielded useful feedback in the refinement process:

- ❑ Roundtable discussions were held with judges of pilot courts in Zagreb (6 October 2008), Osijek (24 October 2008), Vukovar (14 January 2009), and Zadar (19 January 2009), during which efforts were made to ensure that the newly-established system was recognized as a valuable part of the court administration system;
- ❑ Roundtable discussion entitled "Support to Witnesses and Victims in Croatia: Experiences and Recommendations"⁹ was convened on 15 April 2009, in Zagreb, to review the policy model. Clear agreement emerged on the importance of the role played by WVS Offices in the enhancement of the Croatian criminal justice system's treatment of witnesses and victims;

- ❑ Roundtable discussion was held with NGOs dealing with war crimes from Croatia and the surrounding region on 26 October 2009, in Zagreb, where support for the Project's results was extended; and
- ❑ Regional conference entitled, "Support to Witnesses and Victims in Croatia" took place on 27 October 2009, in Zagreb, during which the policy model and project implementation results were presented.¹⁰

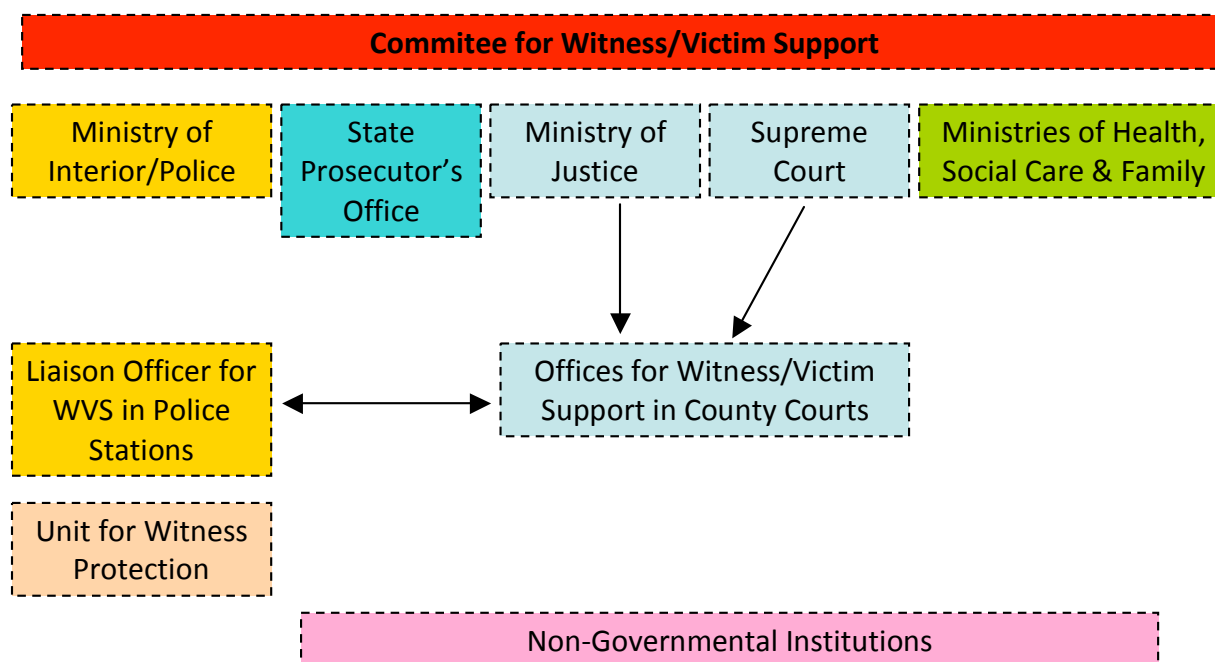
Following the consultation process, policy guidelines for the provision of witness/victim support at the level of the court stipulated that:

- ❑ Ministry of Justice be the central administrative body for coordination of WVS Offices in county courts;
- ❑ WVS Offices be part of the judicial administration;
- ❑ Witness/victim support be provided in trials for all criminal offenses;
- ❑ WVS Offices be established in county courts and will additionally provide support for municipal and misdemeanor courts;
- ❑ Two WVS professionals be employed in each county court's WVS Office, namely Head of Office and Support Officer;
- ❑ WVS Offices organize volunteers to provide additional assistance in the provision of services; and
- ❑ WVS Offices establish institutional cooperation with governmental and non-governmental organizations dealing with various aspects of support provision (i.e. legal, psychological, logistical, and safety issues) [UNDP Final Project Progress Report: 12].

The evolving Witness/Victim Support System in Croatia will be guided by the following policy components:

- ❑ A Witness/Victim Support Committee shall be established, consisting of representatives of the Ministry of Justice, Ministry of Interior, Ministry of Health and Social Care, Ministry of Family, Supreme Court, Office of the State Prosecutor, and non-governmental organizations (NGOs);
- ❑ The Committee shall be responsible for strategic planning, research, policy development, budget proposals, and training needs analysis;
- ❑ The Committee shall be administered by the Ministry of Justice;
- ❑ The WVS Office Model shall be rolled out to all county courts;
- ❑ Liaison officers for witness/victim support shall be designated in each police station (UNDP Final Project Progress Report: 13).

Figure 1: Witness/Victim Support System Model¹¹



Actual Achievements

Activities planned under Output 1.1 were implemented according the Project document and directly contributed to its achievement.

Developed during the project implementation phase, the above-mentioned elements formed the structure of the new policy and have been incorporated into the day-to-day work of the Ministry of Justice and the WVS Offices in the courts. Some components of the policy have already been institutionalized by expressed changes to the law and corresponding regulations,¹² namely those pertaining to the provision of witness/victim support services along with the establishment, configuration, functioning, and management of the WVS Offices in the courts.

Despite their inclusion in the official policy, the following components have not yet been reinforced by changes in the law or accompanying regulations: 1) the establishment of a Witness/Victim Support Committee, its administration, and its duties and responsibilities; 2) the roll out of the WVS program to municipal and misdemeanor courts; and 3) the designation of a Liaison Officer in each police station.¹³ Once established, the Committee for Witness and Victim Support will continue the policy development work initiated by project staff members and stakeholders.

Output 1.2 – Improvement of Regulations

The research conducted by UNDP in 2007 revealed that the Republic of Croatia lacked a legal framework solid enough upon which to build a witness and victim support system that would be in compliance with the standards of the European Union or the United Nations.¹⁴ Prompted by the need to secure a legal foundation for the WVS Policy Model, the Project conducted a gap

analysis and drafted amendments to relevant legislation in order to facilitate the implementation of the new policy. To achieve this output, concrete steps were taken to enshrine into existing laws and regulations the provision of support and assistance to witnesses and victims appearing before courts in criminal proceedings.

The development of a legal and regulatory framework took place throughout the project cycle (2007-2009). Following a collaborative process similar to that used for policy development, the Ministry of Justice and UNDP worked together in consultation with Judge Marin Mrcela, Professor Ksenija Turkovic; and Mr. Thomas Osorio, Head of the ICTY Liaison Office –Zagreb.

As focal points for their respective organizations, Mr. Kresic (UNDP Project Manager) and Mrs. Grgic (Ministry of Justice Coordinator), along with their respective teams, directed the research of legal concepts and drafting of proposed amendments that would authorize the provision of support and assistance to witnesses and victims. Ms. Grgic coordinated consultations on the technical elements between the Ministry of Justice's various directorates and respective legal experts. Discussions between the Minister of Justice and the President of the Supreme Court on draft proposals were facilitated by the focal points.

Once draft amendment proposals were finalized, they were submitted to the Ministry of Justice's Directorate for Organization of the Judiciary, through the Ministry of Justice Coordinator, for final review and acceptance in May 2008. Upon receiving the endorsement from the Directorate, the Minister of Justice officially approved the amendment proposals, which were then signed into law in October 2008.

The process for amending the Court Rules (By-laws), governing the organizational structure and functioning of the WVS Offices, was identical. Final draft amendment proposals were reviewed by the Directorate for Organization of the Judiciary in July 2009 and signed into law soon thereafter.

Activities Implemented

Strategic adjustments to the following piece of legislation and corresponding set of regulations (by-laws) created a framework that directly supported the establishment and functioning of a witness and victim support system.

❑ Amendments to the Legislation

The Courts Act (OG 150/05) was amended in October 2008 to include specific provisions for the institutionalization of WVS Offices and their corresponding support activities in Croatian county courts.¹⁵ For the first time, witness/victim support was stipulated as a court service, under the jurisdiction of court administrations. County courts were further mandated to establish WVS Offices whose main duty was to ensure that witnesses and victims were supported in judicial proceedings. These provisions entered into force on 1 November 2009.

❑ Amendments to Regulations (By-Laws)

Regulating the general organization of courts, the Court Rules were amended to specify the organization and functions of the WVS Offices in the courts. In addition, the WVS posts of Head of Office and Support Officer were introduced into the section of the by-laws governing the internal organization of each court, along with the corresponding budget line items for salaries and benefits. These provisions are scheduled to enter into force on 1 January 2010.

Actual Achievements

Activities planned under Output 1.2 were implemented according to the Project document and directly contributed to its achievement.

The legal and regulatory amendments codified, for the first time, the provision of witness/victim support services, in addition to articulating instructions for the establishment, configuration, functioning, and management of WVS Offices in courts. While providing a broad foundation for the provision of support in county courts, these adjustments did not cover later efforts to provide services at the municipal or misdemeanor courts.¹⁶

Output 1.3 – Improvement of Strategic Management Capacities of the Ministry of Justice

Already servicing war crimes trials, the Ministry of Justice's Department for Support was identified by the Project as the organizational unit most suited to supervise the establishment and development of a comprehensive witness and victim support system in Croatia.

The Project sought to develop and increase the capacity of the Department for Support as well as that of relevant criminal justice actors (i.e. judges, court administrative staff, state prosecutors, police, etc.) involved in the witness/victim support process. This was achieved through the arrangement of study visits to countries with established programs and the facilitation of training courses in the fundamentals of protecting victims' rights and supporting witnesses participating in criminal proceedings.

Activities Implemented

☐ Study Visits

Representatives from the Ministry of Justice,¹⁷ along with the presidents of the four pilot courts, employees of the respective WVS Offices, and members of the Police Service undertook a study visit to Sweden, in October 2008 to acquainted themselves with the host country's witness/victim support practices. Participants gained insight into the structure and content of the Swedish system, acquired knowledge of best practices, and developed an understanding of the importance of inter-agency cooperation for its effective functioning.

In June 2009, the Project sponsored the attendance of four (4) participants¹⁸ at the 23rd Annual Conference of Victim Support Europe, in Lisbon, Portugal. The gathering provided a forum for justice and civil society professionals to discuss the existing framework of victims' rights in the European Union and share experiences on meeting the needs of victims of crime in their respective countries. As an observer, the Croatian delegation shared the results of the research conducted in Croatia on witness and victim support.

☐ Development of Training Modules

Training modules were developed on witness/victim rights and support needs, covering the following topics: 1) Victims in the Criminal Justice System; 2) Overview of the New Criminal Procedure Act; 3) Experiences with Witness Support in Court; 4) Practical Experiences of Working with Witnesses; and 5) Psychological Aspects of Victim/Witness Testimony.

□ Training Sessions¹⁹

In cooperation with the Judicial Academy, one-day training sessions were facilitated for Ministry of Justice officials, judges, court advisors, state prosecutors, and police officers working in pilot courts in the following locations: Zagreb (23 March 2009), Split (7 April 2009), Rijeka (22 May 2009), and Osijek (14 October 2009), for a total of 98 participants.

A one-day training session was held at the Police Academy in Zagreb (22 September 2009) for police coordinators, patrol officers, and criminal investigators, totaling sixty-six (66) participants. Along with Croatian facilitators, a British police officer presented an overview of his experience working with witnesses and victims in the United Kingdom.

Actual Achievements

The activities planned under Output 1.3 were implemented according to the Project document and directly contributed to its achievement.

Criminal Justice Actors

As UNDP-sponsored research conducted in 2007 indicated, capacity among criminal justice actors to provide support and assistance to witnesses and victims was practically non-existent in Croatia, prior to the start of the Project. Interviewed during the evaluation mission, presidents of the pilot courts reported that they were reluctant to embrace the WVS project initially but started to change their mindset after participating in the study visit to Sweden. The training sessions further contributed to a significant increase in participants' knowledge of and ability to implement measures to ensure the provision of support to witnesses and victims participating in criminal proceedings. Professional development initiatives such as those described above enhanced the capacity of judges, court advisors, prosecutors, and judicial police by 1) raising their awareness on the needs of witnesses and victims and 2) equipping them with tools to facilitate the protection and support of those participating in criminal proceedings.

Ministry of Justice

With regard to the Department for Support, no baseline data was available to measure the changes in knowledge and skills acquisition following its participation in the study visits or training sessions.²⁰ Since the Department was functioning prior to the start of the Project, it can be assumed that some capacity already existed.

A qualitative assessment of the perceived benefits revealed that the study visits to Sweden and Portugal contributed greatly to an increase in the knowledge of relevant staff members of the Department for Support. Exposure to the well-established system in Sweden imparted valuable information on best practices and priority tasks to be completed in the expansion of its mandate from servicing only war crimes trials to that of attending to all criminal proceedings.²¹ Discussions at the Conference on Victim Support Europe provided a theoretical framework against which Ministry of Justice officials were able to test the strength of the evolving system in Croatia.

Following the handover of the Project to the Ministry of Justice on 1 November 2009, the newly-entitled Department for the Support to Victims and Witnesses Involved in Criminal Proceedings and War Crimes Cases assumed responsibility for overseeing the provision of support and

assistance to witnesses and victims under both the currently established pilot court programs and those scheduled to launch in the near future.²² With a team of trained judicial officials, its ability to coordinate and supervise WVS operational activities on the ground was strengthened. At the time of this evaluation, efforts to establish regular communication and reporting mechanisms between the Department for Support, WVS staff members, and court management officials were underway.

Output 1.4 – Establishment of Regional Cooperation

While witness and victim support services have been established in Croatia, Serbia, and Bosnia and Herzegovina, they differ in content, scope, and organizational detail. More importantly, no substantial cooperation exists between the three countries, except in *ad-hoc* circumstances.

This project sought to develop a mechanism through which judicial authorities could regularly communicate and exchange information and experiences on the coordination and provision of support to witnesses and victims, not only on war crimes cases, but also as a regular measure aimed at improving the fight against crime at the regional level.

Activities Implemented

To achieve this output, the Project initiated a series of meetings with governmental offices, NGOs, and international organizations in the region with view to bringing together stakeholders and practitioners collaborating on efforts to protect victims' rights and provide support to witnesses and victims participating in criminal proceedings.

☐ Study Visit to Serbia and Bosnia and Herzegovina

WVS Heads of Office (4), Support Officers (4), Volunteers (5), and UNDP Project Staff (3) undertook a six-day study visit to Belgrade, Serbia and Sarajevo, Bosnia Herzegovina, to establish contact with counterparts from respective courts, along with representatives from national NGOs and international organizations. From 27 to 29 October 2009, the delegation visited the WVS Office in the Court of Bosnia and Herzegovina. They also met with representatives of the NGO entitled Research and Documentation Centre, OSCE, and UNDP. Meetings with colleagues from the WVS Office in the District Court of Belgrade (Division for War Crimes), the NGOs entitled Humanitarian Law Centre and Victimology Society, OSCE, and UNDP took place from 30 October to 2 November 2009.

☐ Regional Conference in Zagreb, Croatia

On 27 October 2009, UNDP Croatia organized a regional conference entitled "Support to Witnesses and Victims," which brought together representatives of government and non-governmental organizations from Croatia, Bosnia and Herzegovina, Serbia, and Macedonia. During the first session, UNDP Croatia presented the Project to the audience, highlighting current achievements and future plans for expanding the protection and support activities into additional courts. The second session focused on enhancing regional cooperation by sharing best practices of witness/victim support from each country. It was noted that only witnesses and victims of war crimes were receiving any type of support in Serbia and Bosnia and Herzegovina at present. The conference closed with a presentation from a representative of an NGO during which she emphasized support for the Croatian Witness/Victim Support Model and encouraged NGO involvement in all aspects of its continued evolution and implementation.

Actual Achievements

Implemented as envisaged in the Project document, the activities planned under Output 1.4 contributed to its achievement.

Both the study visit to Serbia and Bosnia and Herzegovina and the Roundtable Meeting held in Zagreb proved to be valuable activities, establishing a solid basis for regional cooperation on the provision of support to witnesses and victims. During the study visits, WVS staff members from Croatia, Serbia, and Bosnia and Herzegovina were able to compare working modalities and practical experiences. Familiarizing participants with the varying circumstances under which WVS Offices were operating in their respective countries, this level of exchange paved the way for the eventual creation of an operational protocol for the provision of support to witnesses participating in cross-border criminal proceedings.

4.1.2. Outcome 2: Witness/Victim Support System in Courts Established

Prior to the commencement of the Project, no specific obligations existed on the part of the Courts towards participants in criminal proceedings, aside from the responsibility to deliver subpoenas and consider requests for reimbursement of court-related expenses. Implementation of the witness/victim support program required that offices be established, staffed, and equipped in selected pilot courts.

In order to attain this outcome, the following target outputs were identified:

- ❑ Staffing of Witness/Victim Support Offices in Pilot Courts;
- ❑ Provision of Basic Infrastructural Improvements for Witness/Victim Offices;
- ❑ Establishment of NGO Network for Witness/Victim Support in Respective Pilot Court Areas.

The Project planned to achieve these outputs, during the two-year project cycle, through the implementation of seven (7) key activities, which included a recruitment exercise for WVS Officers, an NGO capacity assessment and funding exercise, two (2) training sessions for WVS staff members, one (1) training session for NGOs, and completion of infrastructural adaptations and equipping of WVS offices and waiting rooms in the pilot courts.

Following the signing of the Project document, the Ministry of Justice sent letters to courts soliciting their interest in participating in the joint UNDP-Ministry of Justice project. The four (4) pilot courts listed below were selected based on the expressed willingness of their respective presidents, along with their readiness to allocate premises for the Project staff and the implementation of activities:

- ❑ County Court Osijek;
- ❑ County Court Zadar;
- ❑ County Court Vukovar; and
- ❑ Criminal Municipal Court Zagreb.

Output 2.1. – Staffing of Witnesses/Victims Support Offices in Pilot Courts

Prior to the start of this Project, administrative staffing tables within the courts did not include posts for the function of providing support to witnesses and victims appearing before the courts in criminal proceedings in Croatia.

Activities Implemented

❑ Employment of WVS Personnel

Based on templates provided by the ICTY, the UNDP Project Team in cooperation with the Ministry of Justice drafted Terms of Reference for the positions of Head of Office and Support Officer for each of the four pilot courts. Vacancies for the eight (8) new positions were announced, and more than 150 candidates applied. In April 2008, a joint panel of Project stakeholders²³ conducted a competitive selection process that resulted in the hiring of a Head of Office and one (1) Support Officer in Zagreb, Osijek, Vukovar, and Zadar, respectively. The selected personnel began working on 1 May 2009 (*UNDP Final Project Progress Report*).

❑ Training of WVS Personnel

Initial training for the new staff members took place in the town of Sveti Martin on 16 May 2008. The training program contained three (3) core modules on legal, psychological, and practical assistance. Once WVS employees were equipped with technical knowledge, they began attending court hearings to gain first-hand, practical experience in the support needs of witnesses and victims.

In addition to the study visits to Sweden (highlighted under Output 1.3), Serbia/Bosnia and Herzegovina (highlighted under Output 1.4), subsequent training sessions for WVS employees occurred in Zagreb (27 November 2008) and Peroj (25-26 September 2009). These events imparted skills for conducting public outreach, relating to the media, supporting war crimes witnesses, and managing volunteers. Facilitators came from the University of Zagreb, Ministry of Justice, Courts, and ICTY.

Actual Achievements

Within six (6) months of the Project's inception, WVS staff members had been employed, trained, and installed in their respective pilot courts, thereby achieving this output in accordance with the Project document.

The deployment of WVS personnel to the pilot courts precipitated the launching of the WVS program. Equipped with theoretical knowledge and technical skills, WVS Officers began to put into motion the policy of providing support and assistance to witnesses and victims²⁴ summoned to testify in criminal proceedings,²⁵ at the municipal and county court levels. Bound by principles of confidentiality and neutrality, they were mandated to offer the following services:

❑ Emotional Support –Before, During, and After Court Proceedings

The primary mission of the WVS Program was to create an environment in which giving testimony could be an empowering experience. In order to minimize stress and prevent further victimization, the WVS Program provided witnesses with basic emotional support designed to help them cope with the intimidating experience of giving testimony in court. When necessary, WVS staff members referred witnesses and victims requiring professionalized care to NGOs specializing in legal, psychological, and practical assistance.²⁶

❑ Practical Information on the Functioning of the Court

Witnesses were shown a diagram of the courtroom's layout, explaining the role of each party (i.e. judges, state prosecutors, defense attorneys, defendants, etc.) and where each one would sit. WVS staff members gave a synopsis of what would happen during the proceedings and clarified the rules of conduct in the courtroom.

❑ General Information on Criminal Proceedings

WVS staff members informed witnesses about their rights, the role of witness testimony, the definition of terms used during proceedings, the participating parties and their roles, the various stages of criminal procedures, and the structure of the court. No legal advice was ever given to any witness or victim by WVS Offices.

❑ Building Escort/Courtroom Accompaniment

Witnesses were usually greeted at the entryway of the court and escorted to the waiting room. An informal conversation usually ensued during which WVS staff members provided general information, inquired about any health problems that witnesses or victims might have, and answered any questions or addressed any apprehensions related to the court proceedings. When called by the judge, witnesses were accompanied to the courtroom by WVS staff members.

❑ Assistance in Submitting Reimbursement Claims

Often traveling long distances from their homes in response to court summons, witnesses faced cost-prohibitive transportation costs. After completing their testimony, witnesses were accompanied by a volunteer to the Court's Accounting Department and assisted with completing forms for requesting reimbursement of expenses.

In support of these core responsibilities, the WVS Offices devised procedures to perform the following administrative tasks:

❑ Gathering Information on the Appearance of Witnesses and Victims

The process of providing support and assistance to witnesses and victims began with the acquisition of information on the appearance dates of witnesses and victims at court. This notice came from three possible sources, namely 1) the court docket which listed the schedule of hearings and the witnesses appearing in each proceeding, 2) communication from recording secretaries/administrative clerks serving judges at the Court of First Instance, and 3) direct contact from witnesses and victims who had received information on the availability services provided by WVS Offices.

❑ Informing Witnesses and Victims about WVS Services

Blue stickers containing information on WVS services available at the pilot courts in their respective areas were affixed to summons letters by Court Recorders and sent to witnesses. Aside from telephone calls, this practice proved to be an effective mechanism for reaching out to witnesses.

❑ Coordinating Witness Reception/Courtroom Accompaniment

Equipped with the name of witnesses, name of the judge, courtroom number, name of the defendant, and trial appointment time, the WVS Office prepared for their arrival by assigning a pair of WVS Volunteers to greet them at the entrance. The police at the court were also informed of witnesses'

scheduled arrival times and often referred them directly to the WVS Office. WVS staff members accompanied witnesses and victims throughout their visit to court. Except when hearings were closed to the public, WVS Volunteers sat in the courtroom while witnesses were giving their testimony.

❑ Liaising with NGOs and Public Institutions

WVS Offices maintained contact with NGOs and some state institutions to coordinate more specialized support and assistance for witnesses and victims as required. Staff members created and maintained a directory of organizations that is updated regularly.²⁷

❑ Managing Witnesses/Victims Database

WVS Offices set up databases to gather statistical information on witnesses and victims, the types of criminal offenses on which they are summoned to testify, and their reported level of satisfaction with the support received. Such information provided the WVS Program with comprehensive insight into the people they were serving.

❑ Documenting WVS Activities

Staff members kept daily logs of their work with witnesses and victims, listing their questions and comments and highlighting problems they encountered in the provision of support and assistance. Weekly and monthly reports were submitted to the Presidents of the Courts, the Ministry of Justice, and UNDP. WVS Offices created brochures, public relations materials, and website information to keep both beneficiaries and the general public informed of the services available to witnesses and victims.

❑ Cooperation with Pilot Court Officials

At the level of the Courts, WVS Offices maintained close contact with administrative officers to coordinate the notification, arrival, and appearance of witnesses and victims in court proceedings. The Heads of Office only reported to the Presidents on programmatic issues and work activities, during the project cycle, in the form of periodic oral updates and monthly written progress reports. According to the Presidents of the pilot courts, communication between WVS Offices and themselves on the modalities of witness support was regular and steady, often taking place outside the context of formal meetings.

At the onset, UNDP formally presented the Project, the WVS offices, and WVS staff members to the presidents and judges of the pilot courts. During these initial meetings, expectations for mutual cooperation between the judges, court administrations, and the Project staff members were communicated (UNDP Key Lessons Learned: 10). “Special efforts were made in the introductory phase of the Project to make the new system recognizable as a valuable part of the court administration system” (UNDP Project Progress Report 2009: 9). Presidents, in turn, held meetings with their respective judges and court staff members to elicit their support for the project.

WVS staff members reported that while they had uninhibited access to the presidents and received unwavering support for the Project’s activities, they encountered a wide range of responses from presiding judges. While most judges were cooperative, a select few were not very cooperative in that they declined to: 1) provide information on the trial schedules and the dates of witnesses’ appearance or 2) attach the blue stickers onto the court summons sent from

their chambers, which would have informed witnesses and victims about the existence of the WVS Offices and the available services.

❑ Cooperation with the Ministry of Justice

Aside from its participation in the initial training of WVS staff members, the Ministry of Justice's Department for Support was responsible for the provision of psychosocial support²⁸ to WVS staff members during the project cycle. WVS staff members reported, however, that only one session of psychosocial support was offered to them, as a team, despite repeated requests for additional sessions.

In one office, WVS Officers sought out psychosocial support from an external professional on two occasions but could not continue due to UNDP's inability to pay for it. In the absence of measures to prevent vicarious victimization, WVS staff members practiced self-care and took steps among themselves to minimize its effects. They often expressed their frustrations and shared their concerns with fellow staff members in an attempt to practice rudimentary self-care. While UNDP Project Managers understood the need and wanted to facilitate psychosocial support, there was no funding available to cover the associated costs.

In addition to the above, the Department for Support assumed responsibility for providing substantive support to the WVS Offices' after the Project handover, namely: 1) maintaining regular communication with WVS Offices, 2) reviewing and discussing WVS Offices' monthly reports with the Heads of Office, 3) assisting WVS Offices in solving problems concerning their work with witnesses, 4) providing legal advice, and 5) ensuring the quality provision of emotional support and practical assistance to witnesses, 6) organizing and funding training sessions, 7) cultivating professional relationships in the field of witness and victim support, and 8) planning the expansion of the witness and victim support system into additional courts.

❑ Selection and Training of WVS Volunteers

The sheer volume of witnesses and victims requiring support and assistance surpassed the capacity of the two appointed WVS employees per pilot court. Following the UK model, project stakeholders decided to introduce the use of volunteers in the provision of support to witnesses and victims. In cooperation with the Association for Witness and Victim Support, UNDP contacted universities to inform students²⁹ about the opportunity to volunteer in courts. This overture was met with a positive response, resulting in the eventual recruitment of a total of ninety-two (92) volunteers.³⁰ As part of the orientation process, training sessions³¹ on witness/victim rights and support took place in Zagreb (23 October 2008), Osijek (29 October 2008), Zadar (2 December 2008), and Vukovar (8 January 2009).

Volunteers were required to maintain membership in the Association for Witness and Victim Support. This registered NGO provided a legal framework for the work of the volunteers by establishing ethical standards against which the quality of performance could be measured and adherence to rules and procedures is ensured.

The role of volunteers was to give emotional support, explain the role of the various actors in court, remind witnesses to coordinate around their other obligations (i.e. work schedules), pay attention to medical conditions, and keep witnesses and victims separated from perpetrators. Under no circumstances were volunteers ever authorized to give psychological help or legal advice. According to the Association's President, Mr. Miroslav Mudri, there was a high level of

enthusiasm exhibited among volunteers to help witnesses and victims understand the legal system and their role in it.

Volunteers were monitored continuously to ensure the quality of services provided to witnesses. WVS staff members met with volunteers once a month as a group to discuss any issues that had been raised by the judges or witnesses and to discuss the types of cases on which each volunteer would prefer not to work. One-on-one sessions were also held with volunteers periodically to discuss their needs, worries, and changes in life circumstances. Personnel files were maintained on every volunteer, including contact information, availability, educational background, attendance at supervised meetings, problems experienced in the course of working, etc.³² The attachment of volunteers to the WVS Offices at the pilot courts increased their ability to provide effective support and assistance to witnesses and victims participating in criminal proceedings.

□ Provision of WVS Services to Additional Courts

Stakeholder enthusiasm during the initial phase of the Project implementation resulted in requests for WVS service in more courts than the four (4) originally selected.

In Zagreb, WVS Offices were originally established at the Municipal Court. Soon thereafter, the President of the County Court expressed a willingness to join the Project. As a result, special arrangements were made whereby the County Court committed to providing premises and a special coordinator. WVS staff members from the Municipal Court Zagreb were then appointed to support the County Court as well (UNDP Final Project Progress Report: 23). WVS services were also utilized in investigation hearings for criminal acts. The WVS Office in Zagreb provided support to the County Courts in Sisak and Karlovac, especially for war crimes trials.

Following a request from the Municipal Court to have access to WVS services, the President of County Court Vukovar requested that the mandate of its WVS Office be expanded to include both courts. WVS services were also being provided to the Misdemeanor Court.

While the WVS Program was originally set up to support the County Court in Osijek, judges from the Municipal Court began utilizing it as well. Informal cooperation was established with the Municipal Court, which was housed in the same building. The WVS Office also provided support to investigating judges as well.

In a fashion similar to those noted above, the WVS Office in County Court Zadar eventually extended its services to the Municipal and Misdemeanor Courts as well.

Output 2.2. – Provision of Basic Infrastructure to WVS Offices

With neither designated space nor equipment for the provision of support to witnesses and victims in the four pilot courts, the establishment of WVS Offices was predicated on securing and equipping office premises and separate waiting rooms for witnesses and victims scheduled to appear in criminal proceedings.

Activities Implemented

❑ Allocation and Renovation of WVS Offices and Waiting Rooms

In the initial months of the Project, limited infrastructural upgrades were procured in the pilot courts to create offices and designated waiting rooms for witnesses and victims.

❑ Equipping of WVS Offices and Waiting Rooms

The Project equipped the offices and waiting rooms with furniture, IT equipment, telephone lines, and Internet connections over a span of three months.

Actual Achievements

The completion of these activities, as envisaged in the project document, created secure, functional physical spaces within which WVS activities could be effectively performed.

In addition to the provision of space to house WVS Offices, each of the pilot courts agreed to allocate space for the creation of waiting rooms for the exclusive use of witnesses and victims. In County Court Vukovar, the WVS Program was granted two separate rooms in a very crowded building, attesting to the importance placed on the comfort and security of witnesses and victims testifying before the court. Two judges highlighted the need to move WVS waiting rooms closer to the courtrooms in order to reduce the time it takes for witnesses to get to the courtroom once the waiting room has been notified that the court is ready for their appearance. Use of the telecommunications equipment provided by the Project, however, greatly reduced the time lag in moving witnesses once the court has called upon them.

During field visits to the county courts in Osijek and Vukovar, the courtrooms were visited to review the physical set-up with regard to where witnesses are situated while giving their testimony. It was noted that the witness stand was located in the center of the room, with the defendant often sitting right behind in close range. This intimidating placement of defendants behind the backs of witnesses was a source of anxiety for some witnesses, despite efforts on the part of WVS staff members to dissipate it.

The furnishing and equipping of WVS offices and waiting rooms facilitated the implementation of project activities. Instead of waiting in crowded corridors for the judge to call them into the courtroom, witnesses and victims were able to sit in a comfortable and discreet environment where they could relax and emotionally prepare for their appearance in court. To enhance the experience, judges suggested that resources be allocated for the provision of refreshments in the waiting rooms as witnesses and victims were often required to be present at the courthouse for hours with no opportunity to break for a snack or meal once the hearing is underway. WVS staff members often felt compelled to use their own funds to provide at least beverages in the waiting rooms as a small gesture of respect and consideration for witnesses and victims. Judges warned that while such details were often dismissed as minutiae in meetings, they should have been taken more seriously as they had a direct impact on the well-being of witnesses and victims.

For WVS staff members that were required to travel to multiple locations to fulfill their responsibilities, UNDP covered the costs for transportation, logistics and incidentals.

Output 2.3. – Establishment of NGO Network

NGOs capable of providing regular legal, psychological, and practical support have existed in the pilot courts' respective communities for the past several years. Except for the limited cooperation with NGOs in Vukovar and Sisak, as facilitated by the DFID-implemented project, there had been no systematic attempt to assess NGO suitability for collaboration within the context of a witness/victim support program prior to the launching of this Project.

Activities Implemented

☐ NGO Capacity Assessment

With a view to developing a network of NGOs and professional institutions offering psychological, legal, and other types of assistance, UNDP launched an exercise, in March 2009, to identify potential partners and assess their organizational capacities to provide support to witnesses and victims of criminal offenses. Surveys were sent out to 139 organizations soliciting detailed feedback on their services. From the thirty-three (33) surveys completed and returned, UNDP synthesized and compiled a list of organizations within the territorial jurisdiction of the pilot courts. Subsequently, the WVS Offices began referring witnesses and victims who needed more specialized support and assistance.

☐ NGO Grants Disbursed

In July 2009, UNDP announced a call for proposals to support NGOs whose mandates included the provision of support to witnesses and victims in criminal proceedings. After a competitive selection process, which took into consideration geographic dispersion, the following NGOs were chosen: Center for Peace, Osijek; WVS Service, Vukovar; Society for Psychological Assistance, Zagreb; and Women's Room/Center for Victims of Sexual Violence, Zagreb. Each was allocated a grant in the amount of USD 3,000 to enhance their service capacities and raise public awareness on the particular needs of witnesses and victims.

☐ NGO Training Sessions

A training session was held on 7 October 2009, in Zagreb, for NGOs providing psychological, legal, and other forms of support and assistance to witnesses and victims. Thirty (30) representatives participated from the following NGOs: Iris (Bjelovar), Adela (Sisak), DPP (Zagreb), Zenska Soba (Zagreb), Duga (Zagreb), and Brod (Slavonski Brod).

Actual Achievements

Activities planned under Output 2.3 were implemented according to the Project document and directly contributed to its achievement.

The capacity assessment helped to better identify a network of NGOs in Croatia capable of supporting WVS activities. It analyzed NGOs in terms of geographic distribution, number of members, number of employees, services provided, beneficiaries, projects, and relations with other NGOs. The research revealed that the majority of civil society organizations experienced in providing emotional support, practical assistance, and protection to crime victims were located in Zagreb. With women and children as their main beneficiaries, the NGOs surveyed mostly provided support to victims of domestic, sexual, and other types of physical violence (*UNDP Key Lessons Learned*: 14-15).

WVS Offices established contact with NGOs providing legal and psychosocial assistance in their respective areas. The grants and training provided to NGOs and their staff members made an initial contribution to the creation of capacity in areas beyond the realm of WVS program assistance (i.e. psychotherapy, counseling, legal assistance, etc.) During the Regional Conference on Support to Witnesses and Victims, in October 2009, the provision of legal assistance was one area NGOs identified for further capacity development

Some judges were reluctant to engage NGOs even though they were in a position to make constructive contributions to the provision of support and assistance to witnesses and victims. Concerted efforts on the part of WVS Offices have yielded limited cooperation with public institutions such as the City Counseling Services, Republic of Croatia's Office of the Ombudsman for Children, Office for Human Rights Government, various social welfare centers, etc.

4.1.3. Outcome 3: Public Awareness of the Rights of Witnesses and Victims Improved

To ensure the success of the initiative, the Project took steps to educate judicial experts and the general public on the framework and strategy for providing support to witnesses and victims participating in criminal proceedings.

In order to attain this outcome, the following target outputs were identified:

- ❑ Implementation of a limited public outreach campaign on witness and victim rights; and
- ❑ Establishment of sustainable communications instruments for informing witnesses and victims of their rights.

To achieve these outputs, the Project implemented four (4) activities centering on the timely dissemination of information to stakeholders and the media, along with the creation of informational materials in print and electronic forms.

Output 3.1. – Implementation of Limited Public Outreach Campaign

Prior to the launching of the Project, there was limited awareness among judicial experts and the general public of the rights of witnesses and victims.

Activities Implemented

- ❑ Public Outreach

UNDP held press conferences at the beginning of the Project to present the newly-established WVS Offices in the selected pilot courts.³³ Attended by the Minister of Justice, Ministry of Justice officials, County and Municipal Court judges, and WVS Office employees, Mr. Mario Kresic, UNDP Project Manager, highlighted the Project's goal of standardizing the management of witnesses and victims. He also explained the role of the WVS Office, namely that of providing emotional support, practical assistance, and relevant information to witnesses and victims, before, during, and after their participation in criminal proceedings (*UNDP Key Lessons Learned*: 16).

□ Media Campaign

From 16 November to 15 December 2009, the Project launched a media campaign with a view to informing citizens about the rights of victims and the existence of WVS Offices in selected pilot courts. The slogan of the campaign was “No Witness, No Justice.” The outreach methods used were 1) outdoor advertising on billboards and public transportation; 2) indoor advertising on posters placed strategically in courts, police stations, and health institutions, social welfare centers, and NGOs; 3) radio advertisements at the local and national levels; and 4) print media advertisements (i.e. newspapers) at the local and national levels.

Actual Achievements

Activities planned under Output 3.1 were implemented according the Project document and directly contributed to its achievement.

By promoting the WVS Program, the Project hoped to mitigate any resistance to implementation of the initiative on the part of judicial experts and the general public. It was further envisaged that potential witnesses would be better motivated to respond to court summons and testify in criminal proceedings.

Presidents of the eight (8) pilot courts reported to the External Evaluator that the communications strategy utilized by the Project greatly contributed to their increased understanding of the benefits of the initiative and their acceptance of its necessity in the Croatian criminal justice system.

Follow-up research on citizens’ attitudes had not been completed at the time of the evaluation field visit. It was, therefore, impossible to assess at that moment the extent to which understanding and acceptance of the project initiative had changed or increased among the general public.

Despite the lack of empirical evidence, an increase in awareness and acceptance of the role played by WVS Offices in the pilot courts was evident. WVS Officers reported that they were receiving more requests from witnesses and victims who were seeking information and support of their own volition, after having learned of its existence through means other than direct contact with WVS staff members.

Output 3.2. – Establishment of Sustainable Communications Instruments

Informational materials on the rights of witnesses and victims and the corresponding support available to them through the WVS Offices at pilot courts did not exist prior to the start of the Project.

Activities Implemented

As part of the public outreach campaign, the Project developed communications tools to ensure that witnesses and victims were equipped with the requisite information prior to their appearance before the court.

❑ Website on Victims Rights and WVS Services

A webpage³⁴ was launched offering details on the WVS Offices in pilot courts and their services. Information on court procedures, NGO/institutions providing assistance, along with relevant surveys, publications, and Internet links on victim rights can be found on the site as well.

❑ Brochures on Victim Rights and WVS Services

Brochures containing similar information were printed and distributed to offices and institutions involved in the provision of support and assistance to witnesses and victims.

Actual Achievements

Both the website and the printed brochures served as effective tools for keeping the public informed about victim rights and mechanisms for providing support and assistance to witnesses in criminal proceedings.

4.2. Project Efficiency

This section examines the manner in which the Project's activities were implemented, outputs achieved, and outcomes attained.

4.2.1. Project Implementation

The Project was implemented over a period of twenty-four (24) months during which the nine (9) outputs identified in the Project document were achieved as scheduled and within the timeframe specified.

Management of Risk Factors

As with any project that is dependent on full resource mobilization and long-term counterpart commitment, this Project had some possible implementation risks, namely:

Full Project Funding

The Project required significant financial resources. The willingness of UNDP to commit core resources to the required initial assessment further emphasized the strength of Project design and organizational commitment. However, the commitment on the part of ICTY to provide expert technical support and active resource mobilization assistance provided the impetus for other potential donors to support the Project. In addition to the contributions provided by UNDP, the Project was co-financed by the Organization for Security Cooperation in Europe (OSCE), the Government of the Kingdom of the Netherlands, and the Government of the United States of America.

Continuity of the Ministry of Justice Senior Management

During the project design phase, the Ministry of Justice was very supportive of the project goals and stood ready to support project implementation. However, the national elections in 2008 created the possibility of changes within the senior management of the Ministry.³⁵ To reduce this risk to a manageable level, great care was taken in designing the Project to include not only senior management, but also mid-level technical expertise from within the Ministry. In this fashion, the Project was able to foster a sense of ownership among mid-level career civil servants, thereby ensuring sustainability and continuity in the midst of political uncertainty.

Willingness of Court Administrations to Implement New Policy

Projects that foster change invariably encounter some level of resistance from stakeholders. In response, Project staff members made concerted efforts to present the project to stakeholders and beneficiaries with a view to addressing any concerns, reducing institutional resistance, and engendering support for the initiative. Despite reluctance on the part of some judicial staff members to participate in the provision of support and assistance to witnesses and victims appearing in criminal proceedings, project delivery was completed in a timely fashion without any adverse effects on the results.

Human Resource Usage

Human resource inputs were used economically to generate outputs and attain the intended change in outcomes. Staff members from the Department for Support and the WVS Offices were used to facilitate training sessions for officials in the criminal justice sector, contributing to the implementation of Project activities. Serving three times as many courts as envisaged in the

Project document, WVS Offices utilized volunteers to provide support and assistance services to witnesses and victims at twelve (12) courts throughout Croatia.

4.2.2. Internal Coordination

To foster internal coordination, the Project was implemented under UNDP NEX guidelines, using a number of management and institutional arrangements.

Project Oversight

To ensure UNDP's accountability for programming activities and use of resources, while fostering national ownership, management arrangements and oversight of UNDP programming activities certified in accordance with PRINCE 2 methodology, the following management structure was utilized.

The Croatian Central State Office for Strategy Development, acting in the capacity of National Coordinating Authority and working closely with UNDP Senior Management, was responsible for defining, assessing, and monitoring program achievements towards country-level outcomes. It ensured that the program plan included the necessary aspects required to deliver the expected outcomes and identified program areas that would clearly contribute to realizing benefits and achieving outcomes in harmonization with EU legislation.

The Project Board was responsible for making executive management decisions for the Project. This occurred when guidance was required by the Project Manager for 1) the approval of substantive project revisions and 2) decisions when project tolerances had been exceeded. The composition of the Project Board included an Executive to chair the group (representative of the Ministry of Justice), a Senior Supplier to provide guidance regarding the technical feasibility of the project (representatives of the UNDP and/or ICTY), and a Senior Beneficiary to ensure the realization of project benefits from the perspective of Project beneficiaries (representative of the pilot courts). This group conducted periodic project assurance reviews during the implementation of the project or whenever Project Manager raised particular issues.

Monitoring and Reporting

A designated UNDP Program Officer within the Zagreb Country Office performed Project Quality Assurance on an on-going basis with a view to carrying out objective and independent project oversight and monitoring functions. Ensuring that appropriate project management milestones were managed and completed, the Program Officer also exercised approval authority for transactions up to the levels of delegated authority.

Communication Between UNDP, Stakeholders, and Beneficiaries

UNDP project staff members, judges, and the Ministry of Justice project focal point reported that communication between all stakeholders was consistent and inclusive throughout the project cycle, with representatives from each group present at every meeting. Meetings between UNDP project staff, the Ministry of Justice psychologist, and WVS staff members took place every two to three months.

4.2.3. External Coherence

The Project was implemented through a partnership between the Republic of Croatia's Ministry of Justice, its Supreme Court, the ICTY, and UNDP Croatia. The Ministry of Justice provided legal and technical expertise in the areas of policy development, legal/regulatory analysis and

drafting, and training facilitation in the area of victim rights and witness support. At the level of the courts, both judges and court administrative officials provided legal and technical expertise in the conduct of criminal proceedings. Equipped with more than a decade of legal and technical expertise in the establishment and management of WVS programs, ICTY provided strategic support throughout the project cycle.

In terms of tangible inputs, the pilot courts contributed physical space for the WVS offices and waiting rooms, along with pledges of cooperation from the judges, court administrations, and judicial police. UNDP furnished the bulk of the inputs, namely: 1) identification and recruitment of project personnel; 2) identification and facilitation of training activities; 3) procurement of goods and services (i.e. furniture, communications equipment, renovations, etc.); 4) payments to suppliers; 5) managerial supervision of project staff activities; and 6) financial administration of funds (*Country Program Action Plan: 20*).

In summary, the human, material, financial, and technical resources utilized were sufficient enough to realize the objectives of the Project.

4.3. Project Relevance

Within the current context of on-going judicial reforms in preparation for admission to the European Union, this Project addressed an obvious shortcoming in Republic of Croatia's justice sector, namely the absence of a functioning witness and victim support system.

The Project exhibited a high level of congruency between perceptions of what was needed, as envisaged by project planners, and the reality of what was needed from the perspective of the intended beneficiaries. UNDP, ICTY, the Ministry of Justice, the Courts, and Croatian civil society all agreed that a system of support and assistance for witnesses and victims was mandatory for an effective judicial system. Taking into account the prevailing development context, it placed existing strengths and capacities within the Croatian criminal justice sector at the center of its planning, design, and implementation. The three (3) project outcomes addressed the needs of the main beneficiaries, i.e. the witnesses and victims appearing before them in criminal proceedings.

Responsive to UNDP's corporate plan and its human development priorities of empowerment and gender quality, the Initiative employed a process that assessed the implications of its planned activities for women and men. It conducted detailed research into the effects of various types of crimes on men and women and used the results in the formulation of policy guidelines and recommendations for amendments to relevant legislation and regulations affecting the institutionalization of a viable witness/victim support system.

Gender-related considerations were an integral part of the design, implementation, monitoring, and evaluation of the Project in order to ensure that men and women benefited equally from its achievements. WVS staff members in the pilot courts accomplished this through the collection of gender-disaggregated data on witnesses. Police and court officials were also provided with training on gender-sensitivity issues. The staffing of WVS Offices was comprised of six (6) women and two (2) men.

Within the realm of the WVS function, the Project empowered and addressed the needs of witnesses and victims, who in most instances were experiencing some level of vulnerability. The intention of the Project was to create a mechanism through which some measure of personal power could be restored through the process of testifying. Individuals with special needs, e.g. victims of war crimes, rape, domestic and other forms of violent crime, received relevant services from both WVS staff members and respective NGOs.

Against this backdrop, the contributions of the Project have taken on added significance and proven to be highly relevant to Croatia's current development context.

4.4. Project Sustainability

The project initiative was designed and implemented in a sustainable manner from the outset. By placing the WVS Program under the management of the Department for Support, the Project was able to build upon an existing mandate that had already been enshrined into the judicial framework by earlier legislative and regulatory acts. The study visits and training activities implemented during the project cycle equipped all stakeholders with the knowledge and skills required to effectively manage and facilitate WVS Program activities. By utilizing volunteers to carry out the majority of its duties and responsibilities at the level of service provision, the WVS Program significantly reduced its financial dependence.

The handover of the Project took place on 31 October 2009 with the full expectation on the part of project stakeholders and beneficiaries that it would be continued under the aegis of the Ministry of Justice. Despite the widespread financial hardships burdening Government of Croatia, it created a line item in its 2010 budget for the salaries of the eight (8) staff members assigned to the WVS Offices. During his opening remarks at the Regional Conference on Support to Witnesses and Victims in October 2009, Mr. Ivan Simonovic, Minister of Justice, confirmed his support for the continued functioning of the WVS Program and pledged his commitment to its eventual expansion into every court in the Republic of Croatia.

The Project generated long-lasting benefits that will continue to manifest beyond the handover of the Project to national authorities. Judges reported that the provision of witness/victim support generated a marked increase in the participation of witnesses in court proceedings and a noticeable improvement in the quality of witness testimony. Witnesses reported feeling more at ease and better informed about court proceedings after having received support from WVS staff members and volunteered. WVS Offices in the pilot courts maintained positive images in their respective communities, as news about WVS services and their benefits to witnesses has been spreading by word of mouth. Having observed the direct benefits of witness/victim support to the judicial process, the presidents of the pilot courts expressed strong support for the continuance of WVS program activities within the Croatian criminal justice system

5. Evaluation Conclusions

This section will provide insight into the findings of the evaluation with a view to highlighting issues pertinent to the decision making of Project stakeholders.

Through the implementation of twenty-two (22) activities and the achievement of nine (9) outputs, the Project managed to effect change in each of the three (3) outcomes specified in the project document.

5.1. Development of Strategic Management Capacities for WVS System

Through the efforts of project stakeholders, a policy framework for protecting victim rights and providing necessary support to witnesses and victims participating in criminal proceedings was drafted. Tangible changes to the relevant legal and regulatory framework institutionalized and rendered the policy operation. In addition to the legislative and regulatory amendments prompted by this initiative, the Criminal Procedure Act (OG 152/08), in its amended form, bolstered the Project's impact through its focus on strengthening and protecting the rights of victims and witnesses.³⁶ This created a sound legal basis for the development of strategic management capacities for the witness and victim support system within the Ministry of Justice.

The Ministry of Justice was better equipped to facilitate the implementation of the witness/victim support policy, following the participation of its staff members and other judicial actors in the activities implemented under Outcome 1. This result provided a standardized basis for the formulation of the Department for Support's enhanced organizational structure along with expanded duties and responsibilities.³⁷ More importantly, it equipped relevant actors in the criminal justice system with requisite knowledge of victim rights and the skills to protect and provide support to witnesses and victims on a daily basis within the context of their respective roles. Despite these gains at the strategic level, the Department for Support will require on-going support to build its capacity to achieve intended results at the level of coordination.

Tangible changes to the status of witness/victim support provision within the criminal justice system were prompted by additional factors. The Croatian Government's urgent need to institute judicial reform, as a prerequisite for entry into the European Union, provided substantial impetus since the provision of witness/victim support in criminal proceedings was identified as a vital element in the quest to enhance access to justice for its citizens and establish the rule of law (*Croatian 2006 Progress Report*: 53).

There was a clear consensus among all dignitaries³⁸ present at the Regional Conference on Support to Witnesses and Victims, in October 2009, that regional cooperation was important, not only because of war crimes prosecutions, but also due to crimes that are currently being committed across present-day borders. With witness testimony being so crucial to the judicial process, it was agreed that efforts to reduce their exposure and vulnerability to threats and intimidation must be coordinated.

Despite the increased strain placed on newly-independent states by transnational criminal activity, it should be noted that the initial impetus for increased regional cooperation was also rooted in the Republic of Croatia's need to satisfy ICTY requirements for having a functioning program, conforming to international standards, for the provision of support and protection to witnesses testifying in cases transferred to Croatian jurisdiction under Rule 11bis³⁹ (*Action Plan*: 58).

At the state level, the conference initiated dialogue among policy makers, providing a foundation for further collaboration on the development and rollout of complementary WVS policy models, similar to that of Croatia, in neighboring countries.

5.2. Establishment of a Witness/Victim Support System in Courts

The proven need of support for witnesses and victims during the initial phase of project implementation, coupled with the enthusiasm on the part of WVS staff members, resulted in the expansion of WVS services provided from the four (4) to twelve (12) courts. Without formal cooperation, however, the provision of support services to these additional courts was carried out in an *ad-hoc* manner. WVS Offices were often notified at the last minute, which hindered their ability to plan and organize their work. With increasing numbers of witnesses seeking out the services of the WVS Offices, the attachment of volunteers to the WVS Offices at the pilot courts increased the ability to provide effective support and assistance to witnesses and victims participating in criminal proceedings. The Project was successful at providing support and assistance to 2,286 witnesses and victims (12% of whom were war crimes witnesses) over a period of eighteen (18) months.

Tasked with the responsibility of supervising the administrative tasks conducted in judicial bodies, the Ministry of Justice had the authority to set the stage for administrative cooperation and compliance with the WVS Project (Ajdukovic, Mrcela, and Turkovic: 30-31). Despite the Project's approval by the Minister of Justice, the trials chambers were left with the tacit choice of whether or not to share information on upcoming cases and inform witnesses of the existence of WVS Program. While judicial independence was cited as a possible reason why some judges chose not participate, it was not clear why neither the Presidents of the pilot court nor the Ministry of Justice compelled judges to cooperate with the pilot project.

Following the Project handover on 1 November 2009, the Presidents and their respective court administrations assumed responsibility for the day-to-day oversight of operational and personnel matters related to the functioning of the WVS Offices and their services.⁴⁰ The official placement of the WVS Program under the Ministry of Justice, coupled with recent legislative and regulatory amendments, should provide an irrefutable mandate to resolve the discrepancies mentioned above. While efforts are currently underway to ensure the successful functioning of the WVS Program under the Ministry of Justice, additional support is still needed to enable the Department of Support to carry out its ambitious mandate.

The allocation, renovation, and equipping of office premises and waiting rooms created the requisite physical space within which WVS Program activities were successfully implemented.

Within the courtroom, however, the intimidating placement of defendants behind the backs of witnesses produced palpable anxiety in many of them. This physical proximity of witnesses to defendants, created by the courtroom arrangement, could be perceived as a form of psychological threat to witnesses' well-being (Ajdukovic, Mrcela, and Turkovic: 110). While beyond the scope of the Project's focus, this infrastructural challenge has the potential to detracted from the judicial system's efforts facilitate positive courtroom experiences for witnesses and victims.

Enhancing the initial support and assistance efforts made by WVS Programs within the pilot courts, the NGO network currently being established will ensure the quality and continuity of support services available to witnesses and victims before, during, and after criminal proceedings.

5.3 Improvement of Public Awareness of the Rights of Witnesses and Victims

In addition to the 145 articles which appeared in various newspapers during the two-year implementation cycle, the Project's concerted efforts to educate the public through multiple media were directly responsible for improving the public's awareness of witness and victim rights and the newly-established support mechanisms put into place in the context of criminal proceedings.

The ease with which citizens will be able to access sustainable communications materials will ensure that increasing numbers of citizens become aware of existing rights, available services, and accessible resources for witnesses and victims participating in criminal proceedings.

5.4. Project Efficiency

The Project benefited from the outputs generated and experiences accumulated prior to the start of this Project. UNDP, in partnership with ICTY and the Ministry of Justice, created a successful strategy to address the additional challenges identified in the WVS research, which led to the successful development and implementation of a policy for witness and victim support in Croatia.

UNDP brought its experience with project implementation, policy development, capacity building, and administrative support to the initiative. As the Project's executing agent, UNDP coordinated the activities of the stakeholders, all of whom met their obligations as specified from the outset. This enabled the Ministry of Justice to concentrate on more substantive issues without the burden of project administration. The partnership strategy made efficient use of the complimentary strengths and abilities of the different partners, rendering effective the implementation of the Project.

5.5. Project Relevance

Increasing access to justice for individuals who have suffered human rights violations is a current development priority within the Republic of Croatia. In response, the Project sought to build capacity within the Ministry of Justice, pilot courts, and their respective administrations to facilitate this process.

In keeping with Action Point #2 of UNDP's *Eight Point Agenda: Practical, Positive Outcomes for Girls and Women in Crisis*, the Project enhanced women's access to justice and security through efforts to inform them of their rights as witnesses and provide them with support and other types of relevant services (e.g. emotional support, information on judicial procedures, etc.) In analyzing whether or not women and men had equal access to the initiative's benefits, the Project discovered that only 1/3 of the total number of witnesses and victims being served by the WVS Program were women. In order to ascertain if this ratio signified a difference in access to support and assistance, it would have to be compared to the ratio of total men to women appearing before the pilot courts in criminal proceedings.

The institutionalization of support to witnesses and victims in the Croatian courts played a significant role in helping victims of war crimes and other criminal acts to understand their role and successfully contribute to the realization of justice and accountability in the larger civil society.

5.6. Project Sustainability

The political and institutional conditions under which the Project was implemented have created circumstances conducive to its long-term sustainability. Policy, legal, and regulatory frameworks were put into place, stipulating courts to provide support and assistance to witnesses and victims. National capacity was enhanced to maintain Project results into the future. Equipped with recognized legal and psychological expertise, the Department of Support proved itself to be the most suitable unit for the administering the provision of support and assistance to witnesses and victims participating in criminal proceedings. The use of volunteers further strengthened the Project's sustainability in this era of economic recession.

The Project generated benefits that extended beyond the project implementation phase. Stakeholders unanimously agreed that implementation of measures to provide support to witnesses and victims has led to more expedient court proceedings, with reduced trial duration, thereby increasing the capacity of the Croatian judiciary to protect the human rights of its citizens in a timely manner. The WVS Program has become a vital component of the Government of Croatia's recent efforts to reform its judicial system and create mechanisms that enhance citizens' access to justice, in preparation for admission into the European Union. Public trust in the judicial system has grown as a result of the Project's efforts. Discontinuation of the program at any point in the future would erode the public's confidence and undermine functioning of the court system.

6. Recommendations

With regard to the findings of the final evaluation of the project entitled “Assistance to the Development of a Witness and Victims Support System in Croatia,” the following recommendations can be made:

- ❑ Establish as soon as possible the Witness/Victim Support Committee with representatives from the Ministry of Justice, Ministry of Interior, Ministry of Health and Social Care, Ministry of Family, Supreme Court, Office of the State Prosecutor, and non-government organizations.
- ❑ Provide continued capacity building support to the Ministry of Justice’s Department for Support to Victims and Witnesses Involved in Criminal Proceedings and War Crimes Cases in the areas of program management, coordination, and operational and logistical support.
- ❑ Develop standard operating procedures for WVS services, as a part of regional cooperation between the countries of Croatia, Serbia, and Bosnia and Herzegovina.
- ❑ Expand WVS Program to additional courts throughout Croatia, with at least one WVS Office per county in the initial stages.
- ❑ Increase the number of volunteers to cover additional courts with WVS Offices.
- ❑ Expand WVS services to additional stakeholders (i.e. public prosecutor’s, police authorities, social services agencies, etc).
- ❑ Engage professional psychologists for more serious emotional support needs of witnesses.
- ❑ Relocate of witness stands in courtrooms to a more non-threatening position vis-à-vis the defendant.
- ❑ Move waiting rooms nearer to the courtrooms to facilitate the discreet movement of witnesses.
- ❑ Focus capacity building efforts on NGOs located outside of Zagreb in order to cultivate a more balanced representation of qualified organization to support the WVS Program Offices.
- ❑ Support continued public outreach efforts on WVS activities.

Under the leadership of UNDP and the Ministry of Justice, the Project facilitated the integration of the witness/victim support function into the Croatian court administrative service. Project’s overall objective of strengthening the criminal justice system in Croatia was achieved. The successful introduction of a modern policy aimed at supporting witnesses and victims during their participation in criminal proceedings was due to the development of sufficient capacity and the acquisition of knowledge vital to stakeholders’ ability to assume full responsibility for the management of the WVS Program. Through the advocacy and advisory activities of all stakeholders, witness/victim support issues gained prominence and were recognized as national priorities in the Croatian government’s quest to fulfill requirements for admission into the European Union. With the adoption of the above-mentioned recommendations, the Project will better equipped for roll out into additional courts and other stakeholder institutions in the criminal justice system.

Annex I: Project Evaluation Terms of Reference

**UNITED NATIONS DEVELOPMENT PROGRAMME
CROATIA**

Terms of Reference

Title:	External Evaluation Expert
Post Reference:	International Consultant
Project:	Assistance to the Development of Witness and Victim Support System in Croatia
Duty Station:	Zagreb
Duration:	October 2009
Working days:	17 days

1. Purpose of the contract

1.1 Presentation of the project to be evaluated

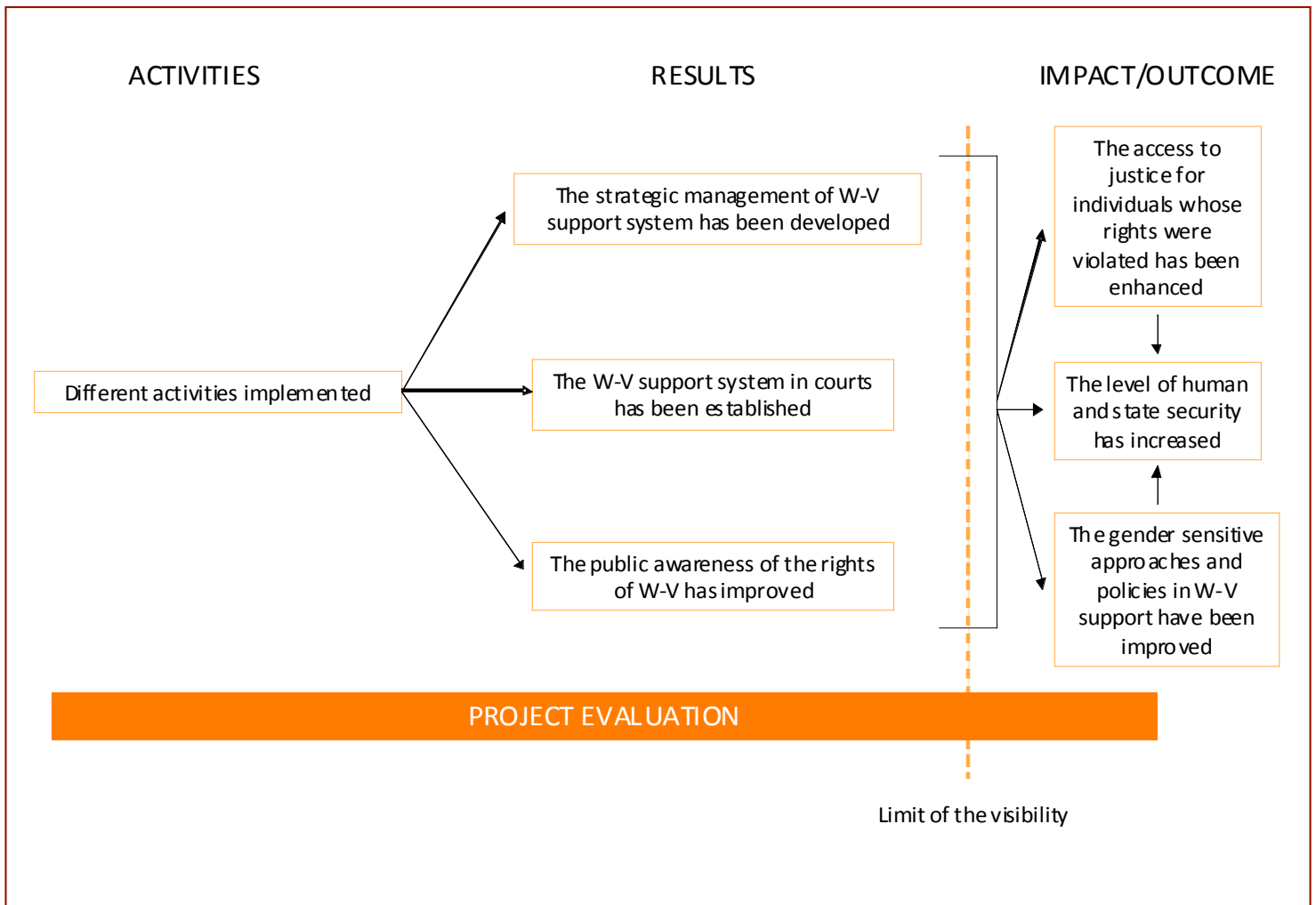
The Croatian criminal justice system did not prescribe institutionalized service for the provision of support to witnesses and victims in courts. A 2007 survey of judges and witnesses carried out by UNDP has shown that organized support to victims and witnesses was practically non-existent and that such support was required. Witnesses as well as judges find it important to improve witness support organisation in courts.

The improvements undertaken in the last years (adoption of Criminal Procedure Act amendments, establishment of Department for Support to Witnesses in War Crime Trials within the Ministry of Justice) represented the first steps in the establishment of a witness support framework and show the Government's awareness of the importance of the issue and its commitment to a solution. However, the improvements were mainly focused on the physical well being of threatened witnesses and a gap still existed in witness support outside physical protection (e.g. psychological, legal, inside the court room or any other support) for all witnesses. In addition, the newly established War crimes witness support department within the Ministry of Justice dealt only with war crime trials and not with common domestic crime cases. With limited capacities of the Department and without courts' witness support offices, the provision of support to beneficiaries was questionable.

The project "*Assistance to the Development of Witness and Victim Support System in Croatia*" was built on the achievements of already existing initiatives and institutional arrangements and planned to initiate facilitation and support for witnesses and victims in all criminal trials. In cooperation with the UN agencies and national counterparts the project determined priorities for further development of a witness/victim support system, aiming in the first place at major crime cases (corruption, organized crime, murders, rapes etc.), as well as supporting war crime trials. Piloting the system in selected pilot courts tried to help the project identifying and improving any shortcomings before it is introduced in the Croatian criminal procedure.

The overall project objective was **to strengthen the criminal justice system in Croatia through the introduction of a modern policy toward support of the witnesses and victims in criminal proceedings**. This policy, when fully developed and implemented, tried to ensure enhanced treatment of witnesses/victims during criminal trials, which tried to contribute to a more efficient and effective criminal proceedings.

This logical diagram of impacts synthesizes the project's main objectives:



The project has focused on three main outcomes:

Outcome 1: Strategic management of witness-victims support system developed

Outcome 2: Victim-witness support system in courts established

Outcome 3: Improved public awareness of the rights of victims and witnesses

The overall project's objective and outcomes were agreed between the UNDP and the Ministry of Justice and set out in the Project Document and Standard Letter of Agreement between Minister of Justice and UNDP signed in Zagreb in October 2007. The project implementation started in October 2007 and will last till October 2009 (duration of 24 months).

1.2 Reasons for the evaluation and its aims

This evaluation exercise is part of management arrangements and oversight of UNDP programming activities certified in accordance with PRINCE 2 methodology. The objective of the project evaluation is to undertake an in-depth analysis of this project in order to generate comprehensive and specific evaluation feedbacks of the project. It will also provide basis for learning and accountability for managers and stakeholders.

The evaluation will examine the utility, effectiveness, efficiency and sustainability of the project. It will also look at the internal coordination and the external coherence of the project. In addition, the project evaluation will show whether there is a need to broaden the future project efforts to additional stakeholders such as police authorities, public prosecutor, social services sector or any other relevant stakeholders.

2. Tasks to be performed by the external international consultant

2.1 Scopes of the evaluation to be carried out

The evaluation will have to cover the full project period of implementation (from October 2007 to October 2009). The main objectives of the evaluation must be fully and comprehensively assessed by the evaluation report.

- Assess the utility of the project

The extent to which the project succeed to solve an important problem in the Croatian society mainly focused on the criminal justice system

- Assess the effectiveness of the project

The extent to which the project's stated objectives have been achieved or the likelihood that they will be achieved. The effectiveness of the project should be assessed in accordance with the activities, outputs and outcomes detailed in the project document. Factors contributing to and detracting from results should also be included in the analysis.

- Assess the efficiency of the project

The analysis and the evaluation of the overall project performance, the outputs in relation to the inputs and the financial management (i.e. the way in which the resources (financial, legislative, administrative, etc.) have been used in relation to the effects produced).

- Assess the sustainability of the project

The extent to which benefits from the project will continue or are likely to continue after project support has come to an end (i.e. **follow up projects**, visible and permanent results);

The extent to which benefits from the project are likely to resist to possible future risks and challenges; Possibilities and recommendations to improve sustainability should be included;

The extent to which the support providing model implemented within this project is applicable in other institutions of criminal justice sector

- Assess the internal coordination / external coherence of the project

The extent to which the different project's actors have been coordinated by UNDP;

The extent to which project's objectives are complementary and the extent to which project's activities and objectives do not duplicate any other local, national or international policy.

The evaluation report should also clearly:

- Analyze the challenges to the project's success and the lessons learned from managing them
- Highlight the lessons learnt from the project on the results achieved, the process followed and strategy applied and provide concrete recommendations (especially for project sustainability); Results will be used to guide and improve future initiatives and recommend whether the project should be replicated

- Analyze the overall impact of the project in: increasing level of human and state security; enhancing access to justice for individuals whose rights were violated; and improving the gender sensitive approaches and policies in witness and victim support
- Highlight good practices and success stories
- Analyze the added value of the project

2.2 Evaluative questions

This section provides an overview of key questions the evaluation should answer to in relation to the above-mentioned criteria. Any other relevant question can be suggested and answered by the evaluator.

About the utility of the project

- To what extent has/have the realization of the project objective(s) had an impact on the specific problem the project aimed to address and on the targeted beneficiaries?
- To what extent the project has caused and is likely to cause changes and effects, positive and negative, foreseen and unforeseen, on society and especially on the criminal justice system?
- Is the project likely to have a catalytic effect? How? Why? Please provide examples
- Have the needs of project beneficiaries been met by the project? If not, why not?

About the effectiveness of the project

- To what extent have the project's objectives been reached? Which positive/negative factors contributed or not to reach these objectives?
- To what extent was the project implemented as envisaged by the project document? If not, why not?
- What has the project achieved? Where it failed to meet the outputs identified in the project document, why was this?
- Have any significant developments taken place since the project started, if so, explain how they affected the project goal and activities and evaluate the impact on the project?
- To what extent the project succeeded in dealing with management risks and challenges noticed at the beginning of the project?

About the efficiency of the project

- Were the project activities adequate to realize the objectives? If not, why not?
- Was the project, including its finances, human resources, monitoring, and oversight and support managed efficiently?
- Assess the appropriateness of current formal and informal communication channels between UNDP, national stakeholders and other actors, including recommendations for improvement

About the sustainability of the project

- To what extent has the project established processes and systems that are likely to support the continued implementation of the project?
- Are the involved parties willing and able to continue the project activities on their own?
- To what extent the added value of the project will maintain after the end of the project? Are the project outcomes likely to be sustainable? If not, why not? Which remedial actions would have been good to take?

About the internal coordination / external coherence of the project

- What is the added value of the project compared to other local, national or international policy?
- Who were the partners involved in the design and implementation of the project? What value did the different add?
- To what extent UNDP Croatia succeed in coordinating the different project's partners?

2.3 Deliverables

The key deliverable expected from this outcome evaluation is a **comprehensive 20-30 pages analytical report in English** that should, at least, include the following contents:

- Introduction
- Executive summary
- Context/background of the project
 - Review of project aim and strategy with regard to the situation analysis developed in the project document
 - List of the key project stakeholders, partners and beneficiaries
- Assessment of the different criteria / evaluative questions described in the ToR.
- Evaluation summary
 - Key findings
 - Best practice and lessons learned
 - Conclusions and concrete recommendations

Annexes:

- ToR,
- list of people interviewed,
- documents reviewed
- Information about external evaluator and the evaluation process
 - Goal of assignment
 - Description of the methodology followed (field visits, interviews, review of relevant literature, documentation review, questionnaires, participation of stakeholders, etc.)
 - Work plan of the evaluation
 - Duration of evaluation
 - Description of the evaluator's previous experience and areas of expertise

Other deliverables expected from the evaluator are:

- An evaluation matrix with key evaluative criteria, indicators and means of verification (1-2 pages).
- A detailed methodological evaluation plan including key instruments (1-2 pages).

3. Organization of the work

3.1 Indicative methods

The project evaluation should include the following methods but the evaluator is free to present to UNDP Croatia Justice portfolio any other relevant methods.

- Documentary reviews (review of project documentation and previous surveys; local, national and international policies; monitoring data and other relevant documents).
- Face-to-face semi-directed interviews (UNDP staff members; UNDP senior managers, representatives of the Ministry of Justice; donors and other relevant stakeholders).
- Focus group (staff members from pilot support court offices).

3.2 Overall management of the evaluation

The consultant will be undertaking the assignment under the direct guidance of the UNDP Croatia Justice portfolio. Project team will provide both substantive and logistical support to the evaluator. During the evaluation, UNDP will help to set up stakeholders interviews. The continuous involvement of major stakeholders at the country level should be ensured and maintained by the evaluator throughout the evaluation process.

The final evaluation report will be signed by: UNDP Croatia Resident Representative, Minister of Justice and evaluator. Prior to approval of the final report, a draft version shall be circulated for comments to UNDP Croatia and members of the steering committee. If any discrepancies have emerged between impressions and findings of the evaluator and the aforementioned parties, these should be explained in an annex attached to the report.

3.3 Calendar requirements

The evaluation (final report and its presentation) should be completed by 30th October 2009. Report shall be submitted to the UNDP Croatia office.

A total of 17 workdays are required for the evaluation, which are broken down as follows:

Activity	timeframe and responsible party	LOCATION
Evaluation design	1 day, by the evaluator	Online
Documentary reviews	2 days, by the evaluator	Online
Briefing / Debriefing with UNDP	1 day, UNDP and the evaluator	Croatia
Data collection	5 days, by the evaluator	Croatia
Drafting and validation of preliminary findings with stakeholders through circulation of draft report for comments and other types of feedback mechanisms	5 days, by the evaluator	Online
Finalization of the evaluation report	3 days by the evaluator	Online

The evaluator is expected to be present in Croatia (Zagreb) for the briefing/debriefing with UNDP and the data collection.

4. Technical requirements, required profile and remuneration

Independent expert will conduct the evaluation. The evaluator selected for evaluation should not have participated in the project preparation and/or implementation and should not have conflict of interest with project related activities.

Key tasks:

Candidate for the position will perform the following tasks:

- Review documents
- Prepare a list of outputs archived and activates implemented under project
- Design of the evaluation methodology
- Collect all data necessary for conducting analysis of as per the scope of evaluation described above
- Conduct an analysis as per the scope of evaluation described above
- Draft the evaluation report
- Finalize and present the evaluation report

The evaluation must also be in accordance with the following guidance: UNDP 2006 Evaluation Policy; UNDP Handbook on Monitoring and Evaluation for results; UNDP Guidelines for Outcome Evaluators;

UNDP Result-Based Management: Technical Note and UNDP Quality criteria for Evaluation Report. (All of them are available on the UNDP Evaluation Office Internet website).

Qualifications:

Candidate for the position is expected to have:

- MA in law, political sciences or other social sciences
- Experience with result-based management evaluation methodologies
- Minimum of 5 years of work experience in relevant areas
- Sound knowledge of the victims and witnesses issues
- Good understanding of criminal justice system issues
- Excellent analytical and organizational skills
- Excellent writing and communication skills in English
- Excellent computer skills
- Project evaluation experience within United Nations system will be considered an asset

The total remuneration for the consultant can not exceed 6.800 USD. The total is calculated on the basis of 17 days (max.400 USD per day).

Travel and DSA will be covered by the project.

Annex II: List of People Interviewed

Name	Title	Office	City	Date
Mr. Yuri Afanasiev	Res. Representative	UNDP Croatia	Zagreb	26.10.2009
Mr. Mario Kresic	Project Manager	UNDP Croatia	Zagreb	26.10.2009
Ms. Violeta Liovic	Project Associate	UNDP Croatia	Zagreb	26.10.2009
Ms. Jasmina Mujkanovic	Project Consultant	UNDP Croatia	Zagreb	26.10.2009
Ms. Juliette Delescluse	Project Assistant	UNDP Croatia	Zagreb	26.10.2009
Ms. Melanija Grgic	Head of Sector	Ministry of Justice	Zagreb	26.10.2009
Mr. Antun Klismanic	President	County Court Zadar	Zadar	27.10.2009
Ms. Dragana Marina	Head of Office	WVS Office Zadar	Zadar	27.10.2009
Ms. Maja Kacanic	Support Officer	WVS Office Zadar	Zadar	27.10.2009
Mr. Thomas Osorio	Head of Office	ICTY Liaison Office	Zagreb	27.10.2009
Mr. Vinko Mioc	President	Municipal Court Zagreb	Zagreb	28.10.2009
Ms. Mirjana Rigljan	President	County Court Zagreb	Zagreb	28.10.2009
Ms. Ana Ergovic-Kuzmanovic	Head of Office	WVS Office Zagreb	Zagreb	28.10.2009
Mr. Goran Miletic	Support Officer	WVS Office Zagreb	Zagreb	28.10.2009
Mr. Ninoslav Ljubojevic	President	County Court Osijek	Osijek	29.10.2009
Mr. Robert Adric	Head of Office	WVS Office Osijek	Osijek	29.10.2009
Ms. Iva Baric	Support Officer	WVS Office Osijek	Osijek	29.10.2009
Mr. Berislav Matanovic	President	County Court Vukovar	Vukovar	29.10.2009
Ms. Branka Lucic	Head of Office	WVS Office Vukovar	Vukovar	29.10.2009
Ms. Daniela Cukelj	Support Officer	WVS Office Vukovar	Vukovar	29.10.2009
Mr. Miroslav Mudri	President	Assoc. of Volunteers for Witness/Victim Support	Vukovar	29.10.2009

Annex III: List of Documents Reviewed

- Action Plan of the Judicial Reform Strategy: 2008 Revision.* Zagreb: Ministry of Justice, Government of the Republic of Croatia, 25 June 2008.
- Ajdukovic, Dean, Marin Mrcela, and Ksenija Turkovic. *Support to Victims and Witnesses of Criminal Offences in the Republic of Croatia.* Zagreb: United Nations Development Programme, 2007.
- Assistance to the Development of a Witness and Victim Support System in Croatia: Final Project Progress Report, November 2007 – November 2009.* Zagreb: United Nations Development Programme, 26 November 2009.
- Assistance to the Development of a Witness and Victim Support System in Croatia: Key Lessons Learned.* Zagreb: United Nations Development Programme, September 2009.
- Assistance to the Development of a Witness and Victim Support System in Croatia: Mid-Period Narrative Report to OSCE, August 2009 – October 2009.* Zagreb: United Nations Development Programme, 16 October 2009.
- Assistance to the Development of a Witness and Victim Support System in Croatia: Project Document.* Zagreb: United Nations Development Programme, October 2007.
- Assistance to the Development of a Witness and Victim Support System in Croatia: Project Progress Report, January 2009 – September 2009.* Zagreb: United Nations Development Programme, 14 September 2009.
- Assistance to the Development of a Witness and Victim Support System in Croatia: Project Progress Report, November 2007 – November 2008.* Zagreb: United Nations Development Programme, November 2008.
- Background Report: Domestic War Crimes Trials 2004.* Zagreb: Organization for Security and Cooperation in Europe, 26 April 2005.
- Country Program Action Plan: The Government of Croatia and UNDP, 2007-2011.* Zagreb: United Nations Development Programme, 1 February 2007.
- Croatia 2006 Progress Report.* Brussels: Commission of the European Communities, 8 November 2006.
- Eight Point Agenda: Practical, Positive Outcomes for Girls and Women in Crisis.* New York: United Nations Development Programme, 2007.
- Handbook on Planning, Monitoring, and Evaluating for Development Results.* New York: United Nations Development Programme, 2009.
- Kregar, Klaudija, Mirga Saltmiras, and Robert Griffin. *UNDP Country Program for Croatia, 2007-2011: Mid-Term Evaluation.* Zagreb: United Nations Development Programme, July 2009.
- Lucic, Branka and Daniel Cukelj. *WVS Staff and Volunteer Manual.* Vukovar: United Nations Development Programme, 2008.

Minutes of the Meeting between Mr. Yuri Afanasiev, UNDP Resident Representative in Croatia and Ms. Ana Lovrin, Minister of Justice of the Republic of Croatia Regarding the Implementation of the Joint Project “Assistance to the Development of a Witness and Victim Support System in Croatia,” Zagreb, 29 July 2008.

National Program for the Protection and Promotion of Human Rights: 2008-2011. Zagreb: Office for Human Rights, Government of the Republic of Croatia, 2007.

Regional Conference on Support to Witnesses and Victims (Meeting Agenda). Zagreb: United Nations Development Programme, 27 October 2009.

Report of the Head of the OSCE Office in Zagreb Ambassador Jorge Fuentes to the OSCE Permanent Council. Zagreb: Organization for Security and Cooperation in Europe, 6 March 2008.

Roundtable on Support to Witnesses and Victims in Croatia –Experience and Recommendations (Meeting Agenda). Zagreb: United Nations Development Programme, 15 April 2009.

Supplementary Report: War Crimes Proceedings in Croatia and Findings from Trial Monitoring. Zagreb: Organization for Security and Cooperation in Europe, 22 June 2004.

UNDP Croatia Annual Work Plan 2007: Justice and Human Security Portfolio. Zagreb: United Nations Development Programme, 2007.

UNDP Croatia Annual Work Plan 2008: Justice and Human Security Portfolio. Zagreb: United Nations Development Programme, 2008.

UNDP Croatia Annual Work Plan 2009: Justice and Human Security Portfolio. Zagreb: United Nations Development Programme, 2009.

Witness/Victim Support Office–Osijek. *Monthly Narrative Reports.* May 2007–September 2009.

Witness/Victim Support Office–Vukovar. *Monthly Narrative Reports.* May 2007–September 2009.

Witness/Victim Support Office–Zadar. *Monthly Narrative Reports.* May 2007–September 2009.

Witness/Victim Support Office–Zagreb. *Monthly Narrative Reports.* May 2007–September 2009.

Witness/Victim Support Service. *The Volunteers’ Guide: Dos and Don’ts.* Zagreb: United Nations Development Programme, 2008.

Annex IV: Endnotes

¹ For the purpose of parallel analysis of the existing system of support for victims and witnesses at courts pertaining to violent criminal acts and war crimes and the needs of victims and witnesses, three interconnected surveys were conducted: 1) Survey of the experience war crimes victims and witnesses had in criminal justice system procedures. Data gathering was conducted by a qualitative method, by semi-structured interviewing with a guide for conducting the interview. Fourteen witnesses participated in the survey; 2) Survey of the experience violent crime victims and witnesses (murder, rape, war crimes, robbery, and extortion) had in criminal justice procedures, and their suggestions for improving the support for witnesses. Data gathering was accomplished by conducting individual polls with witnesses following their testimonies at 9 county courts in the period between 15 January and 16 February 2007. The survey encompassed 133 witnesses, while 130 questionnaires were included in the analysis; 3) Experience and opinions of county court judges handling criminal cases regarding victim/witness support in procedures for serious criminal acts involving violence. Data gathering was conducted by polls through the mail sent to all 21 county court judges in Croatia working on criminal cases. The total number of judges who returned questionnaires was 117 while 110 questionnaires were included in analysis (representing 66% of all county court judges who work on criminal cases) [UNDP Project Document: 11].

² Criminal offenses covered in this Act include 1) offenses for which the sentence is five or more years, 2) offenses against the Republic of Croatia, 3) offenses against values protected by international law, and 4) offenses pertaining to organized crimes.

³ From February 2006 to May 2008, this project provided support and assistance to witnesses and victims testifying before the courts in Vukovar and Sisak. The initiative was funded by the UK Government's Global Conflict Prevention Pool (GCPP) and implemented by the Department for International Development (DFID).

⁴ Sharon Lowery has seven years of professional experience working with witnesses and victims of genocide, war crimes, and crimes against humanity, gained at the UN International Criminal Tribunal for Rwanda and the UN Serious Crimes Unit in East Timor. With expertise in refugee protection and the provision of community services, Ms. Lowery served with UNHCR in Sierra Leone and Liberia from 2005 through 2007.

⁵ See Annex II: List of People Interviewed.

⁶ See publication entitled *Support to Victims and Witnesses of Criminal Offences in the Republic of Croatia* (2007), listed in Annex III.

⁷ Ms. Ana Lovrin, former Minister of Justice and Mr. Yuri Afanasiev, UNDP Resident Representative, met in July 2008 to discuss and agree upon aspects of the policy.

⁸ Stakeholders in attendance included the President of the Supreme Court, representatives from UNDP, and representatives from the Ministry of Justice.

⁹ Stakeholders in attendance included the President of the Supreme Court, Minister of Justice, State Prosecutor, UNDP Resident Representative and Project Staff, and representatives from the governments of Croatia, United Kingdom, Sweden, France, and the Netherlands.

¹⁰ See Output 1.4 for additional discussion on the conference.

¹¹ Taken from *UNDP Final Project Progress Report* (2009), listed in Annex III.

¹² See the Courts Act (OG 150/05) and Courts By-Laws.

¹³ Prior to handing over the Project to the Ministry of Justice, the UNDP Resident Representative presented these elements to the Minister of Justice for consideration.

¹⁴ See the Council of Europe's *Recommendations on the Position of the Victim in the Framework of Criminal Law and Procedure* (1985) and the *United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power* (1985).

¹⁵ The Act on Amendments and Supplements to the Courts Act (OG No. 113/08).

¹⁶ See the discussion under Output 2.1 on the provision of witness/victim support services in municipal and misdemeanor courts.

¹⁷ Staff members from the Department for Support to Witnesses and Other Participants in War Crimes Trials.

¹⁸ The delegation was composed of a Supreme Court Judge and three civil servants from the Ministry of Justice (i.e. Director, Criminal Justice Administration; Head, Department for Support, and the Senior Counselor, Department for Support).

¹⁹ Ms. Verica Oresic Cvitan, Head of the Department for Support, participated in training sessions held for Ministry of Justice officials, judges, court advisors, state prosecutors, and judicial police officers. Ms. Nikica Hamer Vidmar, Psychologist, participated in training sessions organized for WVS staff members.

²⁰ Due to scheduling conflicts and time constraints during the field visit, it was not possible for the evaluator to meet with staff members from the Department.

²¹ Mr. Mario Kresic, UNDP Project Manager, reported that Ms. Tatjana Vucetic, State Secretary, Ministry of Justice, announced during a meeting that the Department would officially become the main coordinating body for WVS in the judiciary at the beginning of 2010.

²² The Department for Support continued to perform its present activities related to the provision of legal/physical protection and psychological support in addition to the location, preparation, and transportation of witnesses and victims participating in war crimes trials both in and outside of Croatia.

²³ The panel consisted of representatives from the Ministry of Justice, UNDP, and presidents of the pilot courts.

²⁴ WVS Offices also provided support and assistance to family members of witnesses and victims as required. Childcare was also provided to enable witnesses and victims to appear in court.

²⁵ This included cases charging murder, attempted murder, robbery, corruption, organized crime, war crimes, rape, family violence, etc.

²⁶ Vulnerable witnesses (i.e. war crimes, domestic violence, rape victims, etc.) were carefully screened for signs of stress and trauma.

²⁷ A more detailed discussion on WVS Offices' cooperation with NGOs and public institutions can be found under Output 3.3.

²⁸ Psychosocial care in this context was referred to as "supervision" by WVS staff members.

²⁹ Volunteers were mostly university students studying law and psychology.

³⁰ With recruitment starting in November 2008, the number of volunteers per location were as follows: Vukovar, 30; Osijek, 40; Zagreb, 15; and Zadar, 7.

³¹ Volunteers received training in the process of providing emotional support and assistance to witnesses and victims.

³² See documents entitled *WVS Staff and Volunteer Manual* (Lucic and Cukelj, 2008) and *Volunteer Guide: Dos and Don'ts* (2008), listed in Annex III.

³³ Public presentations were held in Zagreb (6 October 2008), Osijek (14 October 2008), Vukovar (14 January 2009), and Zadar (19 January 2009).

³⁴ The webpage can be found on the Ministry of Justice's website at www.pravosudje.hr.

³⁵ The appointment of Mr. Ivan Simonovic as Minister of Justice in October 2008 did not have an adverse effect on the Project. To the contrary, the new Minister of Justice raised its profile with increased commitment to its successful implementation.

³⁶ Specific measures to be taken are listed in the agenda of the Office of Human Rights' *National Program for the Protection and Promotion of Human Rights: 2008-2011* (2007), listed in Annex III.

³⁷ In their assessment of proposed WVS program duties and responsibilities, researchers identified the following: 1) development of a strategy for providing support to witnesses and victims; 2) management of the WVS service; 3) raising awareness of the needs of witnesses and victims; 4) conduct of research on issues related witness/victim support; and 5) coordination of activities of different authorities at the national level (Ajdukovic, Mrcela, and Turkovic: 49).

³⁸ The UNDP Resident Representative, Minister of Justice of Croatia, President of the Croatian Supreme Court, State Prosecutor of Croatia, and the Minister of Justice of Macedonia were among the participants at the Regional Conference on Support to Witnesses and Victims (27 October 2009).

³⁹ See *Rules of Procedure and Evidence: Revision 44*. The Hague: UN International Criminal Tribunal for the Former Yugoslavia, 10 December 2009.

⁴⁰ Tasks such as approval of the annual budget, official travel, and annual leave requests will be handled at the court administrative level.